

# The Nation.

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## The Week.

AN official account of the attempt to reinforce Fort Sumter subsequently to the failure of the *Star of the West*, has been made public through the Chicago *Tribune*. Captain Fox, the present Assistant-Secretary of the Navy, in a report to the head of the Department under date of February 24, 1865, explains what part he took in devising and executing a plan for the relief of Major Anderson. It was in January, 1861, that he first gave his attention to the subject, when he sought unsuccessfully to obtain command of the *Star of the West*. Having carefully studied the approaches to Charleston harbor, he proposed, with two or three men-of-war stationed outside as a basis of forcible operations if necessary, to run between the batteries on Morris and Sullivan's islands in the darkness with the ocean steamer *Baltic*, specially fitted out with a superior crew and with launches, troops, provisions, munitions, etc., so organized as to complete the landing in one night. Certain steam-tugs were to be used as auxiliaries, in case the weather proved too rough for boats. This scheme found favor and received promises of co-operation in New York. Meanwhile Captain Fox was summoned to Washington to consult with Gen. Scott and Lieut. Hall, direct from Sumter. Mr. Holt, the then Secretary of War, was about to lay Captain Fox's plan before President Buchanan, when news came of the election of Jefferson Davis, and the whole matter was dropped. It was taken up afresh by the new Administration, and Captain Fox obtained permission to visit Fort Sumter and inspect its approaches, which he was able to do by the land route. He learned from Major Anderson that the 15th of April would be the latest day on which the garrison could hold out. It was not till the 4th of that month that the President issued positive orders for the relief. The Secretary of the Navy placed all his available force at the disposal of Captain Fox—the *Paucene*, *Pouchatan*, *Pocahontas*, and the revenue-cutter *Harriet Lane*. The *Baltic* was engaged of Mr. Aspinwall, and three tugs obtained at exorbitant prices. Reliance was wholly placed upon the *Pouchatan*, for boats and crew for landing the supplies, and she sailed for the rendezvous two days in advance of the rest of the fleet. Captain Fox arrived on the 12th off Charleston harbor in thick and heavy weather. He waited anxiously for the *Pouchatan*, but did not learn till the next day that she had been sent by the President, on recommendation of Mr. Seward, to Fort Pickens—the former not being aware of her attachment to Captain Fox's expedition. On the 13th the bombardment of Sumter was begun, and on the 15th the *Baltic* received the surrendered garrison. From the official orders it is clear that the design was, in accordance with President Lincoln's

promise to the South, to put in provisions only, if unmolested; in case of obstruction and resistance, to add also men and munitions.

PENNSYLVANIA is credited by the War Department with having furnished 361,939 recruits to the armies of the Union, embracing the extreme terms of service—three months and three years. To this total are added 90,000 for the State defence in special emergencies, 25,000 who enlisted out of the State for higher bounties, and 2,500 colored soldiers, likewise attracted elsewhere; in all, 479,439. Her admiring children also assert that this is the largest contribution made by any State to the national forces; that she suffered most materially during the war; and that her military expenditures were, proportionately, less than those of any other free State. It is certain, and it is a remarkable fact, that she has in the past four years diminished her public debt nearly two millions, of which \$745,811 has been extinguished this year—a greater amount than in any preceding twelvemonth on record. The debt thus reduced is \$38,634,891. It may be compared with that of Massachusetts, which is about twenty-five millions, with an interest of one million and an annual State tax of four and a half.

THE Maine election took place on the 11th. Not only did the State agree with Vermont in securing a Republican majority relatively larger than that of last year, but even absolutely (20,000 against 16,000), on a vote one-third lighter. The South Carolina election for delegates to the State Convention passed off quietly on the 4th. Of the twenty delegates chosen in Charleston, only five could be reckoned as Union men, not including Mayor Macbeth, who heads the list. A Union candidate was returned from Chester, Gen. Wade Hampton from Columbia, Gen. Bratton from Fairfield, and Col. Morgan from Orangeburg. The convention met at Columbus on the 13th, numbering about a hundred members. One dispatch says they are regarded as the ablest body ever convened in the State; another, that at least three-fourths of them were original secessionists and active participants in the rebellion. Only five, however, were ready to pass certain resolutions of discontent. The Governor's message sustained the President's policy. The Alabama election was likewise marked by a small vote and perfect order, on the 31st ult. The "conservative" party was easily and almost universally victorious. At Montgomery, Gen. E. Y. Fair and Col. J. A. Elmore were chosen delegates by about seven to one. The convention assembled in that city on the 13th, with 128 members present, all of whom had taken the prescribed oath of loyalty. It was voted, 58 to 34, *not* to repudiate the Confederate State debt. The Massachusetts Republican Convention met at Worcester on the 14th. Senator Sumner presided. Two of the vice-presidents testified powerfully to the change in the times—Gen. Benjamin F. Butler and Rev. L. A. Grimes, the colored minister of Boston. Alexander H. Bullock was nominated for Gov. Andrew's successor without opposition, and great unanimity prevailed in the other nominations. The resolutions promise support to the President "in his efforts to restore order among the communities so lately in revolt, and to re-establish government there on the basis of good and exact justice to all;" re-affirm that slavery was the cause of the war and will be the disturbing element of peace unless extirpated; agree with the Pennsylvania Convention that the people of the South "cannot safely be entrusted with the political rights which they forfeited by their treason, until they have proved their acceptance of the results of the war by incorporating into their constitutional provisions, and securing to all men within their borders, the inalienable right of liberty and the pursuit of happiness;" and call upon Congress to exact the most perfect guarantees of the safety of loyal whites and blacks, before any final step is taken in restoration.

Senator Sumner's speech dwelt upon the conditions necessary to the national security hereafter, namely: the unity of the Republic; civil and political enfranchisement of the blacks; the recognition of the national debt; repudiation of the rebel debt; impartial suffrage for all men; education of the people. To obtain these, time is necessary; for the present, all rebels must be excluded from political power—"they must not be voted for, and they must not vote;" Congress must be confidently invoked, which has plenary control of the whole subject, "whether through the war powers, the duty to guarantee a republican form of government, or the necessity of the case." Gen. Butler also addressed the convention, expressing, among other things, his distrust of oaths and amnesties for the late public enemies.

It seems that Governor Wise did not say, "Long before the war, indeed, I had definitely made up my mind actively to advocate emancipation throughout the South;" which would have needed a pretty stiff exclamation point after the "indeed," in memory of certain events appertaining to Harper's Ferry, in a period not so remote. The hangman of John Brown is a convert of the revolution which both hastened, and the phrase should read—"Long before the war ended," etc.

HERE is a very interesting fact, related in a business letter from Augusta, Georgia, August 14, 1865:

"A Government sale of horses and mules brought large numbers to the city to-day. It is estimated that not less than 10,000 persons attended the sale, two-thirds of whom were freedmen. The stock brought enormous prices, one team, six mule, selling for \$1,265—much higher than previous to the war. Freedmen bid freely and bought largely. There were numerous conflicts between the two races, but I hear of no serious injuries. The former slave begins to assert himself in some cases too much."

THE Army of the Potomac, in the six months' campaign from May 5 to Nov. 1 of last year, lost in killed and wounded 64,549 officers and men, or about a third of Grant's command when he left Culpepper, with reinforcements included. The total number of missing was 23,858, to offset which there were taken 15,370 prisoners. The severest action was that of the Wilderness, which lasted seven days, where the loss in killed and wounded was 22,566, and missing, 6,844. More desperate was the battle of Spotsylvania, which exhibited 2,146 dead for only 7,956 wounded and 279 missing. The Army of the Mississippi, in the campaign which began with the departure from Dalton, and ended with the capture of Atlanta, lost 31,413 in killed and wounded, and 5,786 in missing—this ratio being strikingly in contrast with that of the Eastern army. Twelve thousand nine hundred and eighty-three prisoners and deserters were either taken or received in this campaign, the latter amounting to about one-fourth of the whole. From May 1 to the middle of September, 52,217 of Sherman's soldiers, besides the wounded, were medically treated, and only 420 died of disease.

FROM whatever cause, the apprehension of conviction and death or the consciousness of his unconcealable blood-guiltiness, the prisoner Wirtz is fairly broken down under his trial, which is delayed by his prostration. It is stated, we know not on what authority, that the line of defence which his counsel will follow will be—the "dead-line." In other words, that they are confident a military commission will appreciate the necessity imposed upon a commandant of a large prison with a feeble guard, especially if it can be shown that similar lines were enforced in Northern prisons. We think there will be fatal objections to this argument. Wirtz's cruelty was not confined to any part of the pen at Andersonville, and the victims of the "dead-line" bore a trifling proportion to the whole number. Indeed, we are not sure that it was not the most merciful contrivance of the place, as it opened a door through suicide to an escape from slow murder.

THE Indians have been summoned to a council at Fort Smith, Arkansas, and the Osages, Seminoles, Creeks, Chickasaws, Cowskins, Senecas, Shawnees, Choctaws, and Quapaws, signed on the 14th a treaty of permanent peace with the United States, in which they promise to

refuse their allegiance to any other power, and revoke, cancel, and repudiate their acts of rebellion and secession. The United States promises on its part to protect them amply, to enter into treaties with them, and to settle all differences growing out of the war. It purposes also a grand consolidation of all Indian tribes in one nation in the present Indian Territory, involving of course the removal of the tribes in Kansas and other regions. One stipulation of this arrangement is, that slavery shall be immediately abolished, and freedmen have the right of being incorporated into the tribes on an equal footing with other members.

CONSIDERABLE attention is paid by the press to the movements of a party of English gentlemen, identified largely with railroad interests in the two hemispheres, who are now on a visit to this country, specially in connection with the Atlantic and Great Western Railway, and who are being ridden, fêted, and complimented half across the continent. Thus far they have escaped the perils of ordinary travellers, as it is to be hoped they may to the end of their journey. They betray a wise precaution in taking a physician along with them.

SYMPTOMS of a revival of delicacy in the sensibilities of our Southern brethren are pleasant to record. Such were the questions put by a Mr. Lewellen, of Richmond, in behalf of himself and others, to Gov. Peirpont: Was it probable Congress would admit any delegate from Virginia without taking the oath it has prescribed for its members?—what would be the effect on Virginia of her having no representation in Congress?—can a man sit in either branch of the State legislature who has held office under the Confederate or any rebellious State government? The governor answers no to the first and third interrogatories, and as for the second, seems to think it will be more detrimental to Virginia to be excluded from Congress than it will be advantageous to obtain admission. The stockholders of the Richmond and Danville Railroad longed to make Gen. Johnston their president, but were overcome by the vote of the State proxy, who concluded "that his selection at this time would be exceedingly injudicious."

THE mayor of Mobile resigned his office on learning that negro testimony was likely to be admitted in all the courts, as proposed by Gen. Swayne and seconded by Gov. Parsons. He was too solicitous by half for "the laws of Alabama, and the order, peace, and dignity of the city." Would that every *Slough* were removed as easily from the progress of the freedmen! Gen. Gillmore and Gov. Perry have just arranged that the civil courts of South Carolina shall be restored to their former jurisdiction, except in cases which involve the people of color, which will be tried in courts of the provost-marshals. A month has elapsed since one of Gov. Holden's justices of the peace in Chatham County, North Carolina, ordered an unoffending freedman to be so inhumanly flogged that the jailer refused to obey except under compulsion. The poor victim—whose wife was permitted to stand by him during his torture!—has been missing ever since. At last an effort has been made to arrest the guilty parties.

THE speech of the Hon. Montgomery Blair at Clarksville, Md., on the 26th of last month, contained charges against certain members of the Administration calculated rather to excite amazement than to inspire belief. When Secretary Stanton was accused of complicity in the rebellion, everybody smiled, or if one was indignant he perhaps wrote publicly in defence of our much-abused, matchless war minister, who, as is his custom, let "the turbid stream of rumor flow" unheeded and uncared for. Judge Holt was also too high a mark to be reached by slander, and the refutation which he now makes of Mr. Blair's statements concerning him will be regarded as less necessary for his own vindication than salutary for the correction of his antagonist. He has had time to collect documentary evidence on every head of his indictments, and has deprived Mr. Blair of the comfort of reflecting that, of such liberal though groundless abuse, something must surely stick. Judge Holt calls on him to produce that "armistice with the rebel Secretary" which he asserts was made "by order of Buchanan, under the signatures of his Secretaries of War and of the Navy."



SIMULTANEOUSLY with the effort in Connecticut to get rid of color-distinctions altogether, the people of Newport, in the adjoining State, have at last overcome their prejudices and thrown open their schools to white and black children impartially. It cannot be long before Providence must imitate her sister-capital in this respect.

SECRETARY SEWARD has been making a pleasure trip to Richmond, which the war has enabled him to do without riding in a hangman's cart when there, or wearing Virginia homespun, *i. e.*, tar-and-feathers. A great cry is raised to induce the President to follow his example. A visit to Plymouth Rock were much more to be desired.

A FRIEND has sent us a pamphlet on animal decomposition as the chief promotive cause of cholera, published in Philadelphia, in 1855, from an article in the *Medical Examiner* for August of that year. The author, Dr. Henry Hartshorne, collates facts to show that while cholera is not contagious, in the true sense of the word, and may be propagated without human contact, it finds in the decay of animal matter one of the best conditions of its development. Imperfect sewerage, bad ventilation, the close packing of city populations, are potent and infallible attractions of that "unknown contingent" in whose presence only is cholera generated, and "whose capriciousness of migration, partial subjection to temperature, and other habits, suggest the probability of the animalcular hypothesis." The most elevated sites, if these sanitary conditions are neglected, do not escape the disease, nor is difference of elevation of much account in itself. The odds in mortality between the districts above and those below the entrance of the sewers on the Thames in 1849 was very marked.

THE speech of the Hon. Thaddeus Stevens, at Lancaster, Pa., on the 6th, was devoted to a defence of the policy of "reconstruction" as against that of "restoration." According to that distinguished leader, the only safety lies in Government treating the seceded States as conquered and alien, and in discarding the theory that they have never been outside the Union. They were combated during the war as foreign belligerents would have been—they themselves invited the contest on these terms; we are at liberty to avail ourselves of the privileges of victors. On no other principle of procedure can trial and punishment of traitors be had, since they would then be presented before civil courts in the States which were the scene of their treason. Not otherwise can the trial of Wirtz before a military commission be justified. Not otherwise even the action of the President in imposing conditions upon the conventions which are to remodel the State governments: for this is reconstruction, not restoration, which must be full and impartial. This position fortified, Mr. Stevens advances to another: "The property of the rebels shall pay our national debt, and indemnify freedmen and loyal sufferers." To effect this he would confiscate the real estate of 70,000 rebels, who own above 200 acres each, together with the lands of their several States. Realizing thus, from a small fraction of the population, 394,000,000 acres out of the aggregate of 465,000,000, he would divide this territory into convenient farms, giving (say) 40 acres to every adult male freedman, or 40,000,000 in all. The residue, 354,000,000, he would likewise divide, and sell to the highest bidder. An average of \$10 per acre would net \$3,540,000,000. The odds should go toward the payment of pensions and the indemnification of loyal men North and South; the billions, toward liquidating the national debt. Probably we shall hear more of this project in the House next December. Mr. Stevens incidentally described the genus Blair, and did it so tersely, if not so truly, that we quote it entire:

"They are a family of considerable power, some merit, of admirable audacity, and execrable selfishness."

THE members of the Mississippi Constitutional Convention wanted Jefferson Davis forgiven, because "he was the representative of the sentiments of the people of the (rebel) States, and his acts were those of the great body of the people." Four ladies of Holly Springs, in the same State, have united in a similar petition to the President with

no better and no other reason. This equalizing of guilt does no good to the arch-criminal, while it reacts upon the levellers. If the spirit of the Southern people remains the same as that of Jefferson Davis, we may well despair of Union and fraternity in our generation. We doubt if there ever was an instance of such monstrous and inexcusable mendacity as he exhibited in his high office, whether to deceive foreign nations or to perpetuate the delusion of his own followers. Is he but a sample of all that host who daily take the oath of allegiance, and upon whose constancy depends the whole contrivance of reconstruction?

OUR humorous neighbor and contemporary, *Mrs. Grundy*, expires in this the twelfth week of her short-lived existence. The publishers, it appears from the valedictory, found no safety in the multitude of counsellors, and failed to secure the patronage of the public. The ill-success of the paper is due very likely in part to a want of any definite political tone, but it is fortunate in not going down, as did its immediate predecessor, from having sold itself too cheaply to the worse side in politics. One thing it lacked conspicuously, nor will any other comic journal endure without it—one first-rate artist who could be relied on for a refined yet forcible cartoon.

WE shall furnish hereafter, from an authentic source, a weekly survey of the doings of the Freedmen's Bureau. For completeness' sake, we here append a condensed review of its official existence:

It was established by an act of Congress approved March 3, 1865, under the title of "A Bureau of Refugees, Freedmen, and Abandoned Lands." Major-General O. O. Howard was subsequently appointed to its head, and his first circular is dated May 15. It announces his entrance upon his duties and the location of the Bureau. Circular No. 2, May 19, announces the scheme of subordination and official duty, in connection with the charitable, industrial, and educational aims of the Bureau. Circular No. 3, May 29, orders the retention of abandoned lands then under cultivation by freedmen, at least until the growing crops are secured to them, and their labor fully and justly remunerated. Circular No. 4, May 29, is a special call for a meeting of officers and teachers of freedmen in the Department of Washington. Circular No. 5, May 30, contains rules and regulations for assistant commissioners, among which are a provision for adjusting difficulties which would not be settled equitably for the negroes in the courts, and a guaranty of the freedom of the blacks in choosing their own employers and making voluntary agreements. Order No. 110 of the War Department, June 7, directs all officers of the Treasury and all military officers to turn over the abandoned lands in their possession to the Freedmen's Bureau. Circular No. 6, June 13, appoints sundry officers. Circular No. 7, June 13, directs the assistant commissioners to make estimates of the supplies needed for the coming quarter, and allows teachers to purchase rations on the same terms as commissioned officers, instead of receiving them gratis as hitherto. Transportation and quarters are also provided for. Circular No. 8, June 20, fixes the ration for refugees and freedmen. Circular No. 9, July 6, prohibits the transportation of refugees except where humanity evidently demands it, and then only by the requisition of the Commissioner. Circular No. 10, July 11, provides for monthly reports of refugees and freedmen, for land and school reports, and rosters of all officers and civilians on duty. Circular No. 11, July 12, conveys instructions to assistant commissioners and other officers. Circular No. 12, July 14, directs the agents of the Bureau to co-operate with the Army and Navy Claim Agency of the Sanitary Commission, which desires to extend its gratuitous services to colored soldiers and their families. Circular No. 13, being prematurely issued, was rescinded. We gave a synopsis of it last week. It is superseded by No. 15, below. Circular No. 14, Aug. 17, contains instructions to medical and other officers. Circular No. 15, Sept. 12, defines what is meant by abandoned lands and what by confiscated. When any assistant commissioner is satisfied that the United States has acquired no title to land by abandonment, confiscation, sale, or otherwise, he will formally surrender it to the authorized claimant or claimants. Accurate lists are therefore to be kept, and monthly reports made of lands under the control of the commissioners. As much of them is to be set apart as is needed for the immediate use of loyal refugees and freedmen, selecting those which most clearly belong to the keeping of the Bureau. The steps for recovering abandoned lands to be taken by those who are pardoned by the President, are prescribed. Evidence of special pardon, or the prescribed oath of amnesty, as the case may be, must be forwarded with proof of title to the assistant commissioners. The same restriction in regard to the surrender of lands under cultivation is imposed as in circular No. 3.

The Bureau is now operating, more or less systematically, in all the insurrectionary States except Texas, to which Gen. Gregory was des-

patched more than a month ago, but he has not been heard from. Gen. Saxton has been relieved of the charge of Florida, which is now assigned to Assistant Commissioner Col. T. W. Osborne. The latter writes from Jacksonville on his way to Tallahassee, where he is to meet Gens. Foster and Newton, and arrange for the establishment of his branch of the Bureau. Gen. Saxton's last report concerning Florida states that only about five hundred freedmen will be fed by Government during the present month, against twice that number in August. Schools have been started all over the State, with an attendance of eight hundred children, for whom there are only fifteen teachers. Some two hundred white refugees have also been gathered into schools, and have six teachers. There is an orphan asylum at Fernandina, superintended by Miss C. Merrick, of Syracuse, N. Y. It is supported by voluntary contributions, has sixty-six inmates, and is in a flourishing condition.

In Georgia and South Carolina some contracts are made between the planters and the freedmen, but these States have been the scene of much violence. Capt. Healy, an agent of the Bureau at Augusta, was lately murdered by three assassins, who shot him on his way home from his office in the evening, and then mutilated his body with knives. An unsuccessful attempt has also been made on the life of Gen. Wild, and Capt. Bryan has been threatened. Gen. Wild has been superseded as superintendent of freedmen's affairs in Georgia by Gen. D. Tillson, who has held a similar post at Memphis for some time past, with entire satisfaction to Gen. Howard.

Col. Whittlesey reports the favorable working of the Bureau in North Carolina. Contracts are making, and the negroes evince a disposition to maintain themselves industriously.

Col. Brown discredits entirely the rumors of an apprehended insurrection among the blacks of Virginia. Gen. Terry has his forces so disposed as to render it futile if attempted.

Gen. Fisk, in his recent tour through Tennessee, met with many former slaveholders disposed to be reconciled to the revolution, and asking how they can co-operate with the Bureau. Yet a school for the freedmen was burnt down at Decherd on the night of the 6th, and the teacher obliged to flee for his life.

Commissioner Thomas, of Mississippi, reports that more whites are drawing rations in that State than blacks. The colored population of Vicksburg have publicly voted to assist each other in maintaining schools.

Gen. Sprague, assistant commissioner for Missouri and Arkansas, says nearly all the freedmen in Missouri are supporting themselves, and, in many instances, their teachers; in Arkansas as well, as an instance will show: At Little Rock a colored preacher announced, at the close of the services, that eight teachers at twenty dollars a month, and some other items, made the burden of his congregation \$175 for the month of July. There was a deficiency of \$78, which he requested them to make up in a collection. The amount thus raised was \$43 in excess.

Gen. Swayne states that nine colored schools are already under way in Mobile; others have been established at Montgomery, with an attendance of two hundred; and at Wetumka the colored people have themselves established schools and furnished teachers. Of these last, however, there is great need throughout the State, and if societies at the North will only supply them, the commissioner will do the rest. He is receiving by every mail the acceptances of judicial officers and magistrates, under the order (noticed last week) which recognizes them as agents of the Bureau for the administration of justice. "Negro testimony may now be said to be received in all the courts of the State." He has also directed each of his superintendents to select some justice of the peace in whom he has confidence, to open an office near the agency, where cases can be at once adjudicated. "This position is eagerly sought for." Reports of violence come in from the counties of Clark, Choctaw, and Washington, along the Mississippi border. More whites than blacks are drawing rations in Alabama.

Commissioner Conway, of Louisiana, reports that he called on the churches in New Orleans for contributions of clothing for the destitute blacks. Not one white congregation responded, but the colored churches furnished fifty barrels and ten boxes of good garments, which have been sent to the Red River and Teche countries.

The sanitary condition of the colored people of Washington has been examined by Dr. Reyburn, Surgeon-in-chief of the Colored Bureau for that department. He finds them densely settled, not quite exclusively, on the "island," so called, which is subject to miasmatic influences from the Potomac and the canal. There is no proper drainage, and there is an unwholesome accumulation of garbage and other filth. These causes, with the over-crowded population, who pay exorbitant rents for the meanest of shanties, account for the sickness and mortality which have always prevailed in that portion of the city. Many complain of a lack of employment, yet few are disposed to beg or to avoid exertion in self-support.

Gen. Howard has returned from his vacation at the North. His brother, Col. C. H. Howard, has been assigned to duty under Gen. Saxton. Lieut.-Col. S. L. Taggart, in charge of the office at Washington, is about to retire from the service. He will be succeeded by Col. Max Woodhull, late A. A. G. of the Army of the Tennessee.

FROM Europe we learn that the Atlantic Telegraph Company have formally renounced any attempt to recover the cable this year; and the underwriters have settled insurance on it, as if it were a total loss. Meanwhile the directors have unanimously accepted the offer of the Telegraph Construction Company to manufacture and lay down a second cable and complete the one temporarily abandoned, and the work has already begun. Captain Anderson and the *Great Eastern* have been secured for five years for telegraphic service. M. Hamelin proposes, in a Paris paper, some novel routes for a cable, which will allow of sections. He refers to two small islands, omitted in later charts but still believed to exist, called Verte and Jaquet, which are both in latitude 47° N., and respectively 29° and 42° west of Paris—the latter being situated in the Gulf Stream, not far from the Grand Bank, and almost in the track of the European steamers. By using these stations between Valentia and Newfoundland, the distance would not be materially lengthened. He also suggests a line from Lisbon to the Azores, thence to Jaquet Island and Newfoundland, with a larger aggregate but smaller sections, save the last. The surmise of the *London Times* that the cholera might be a local epidemic for the Mediterranean basin, including the connecting waters, appears to be correct. The latest news indicates no advance beyond these limits, but rather points to a subsidence in the direction of its origin. The finishing blast which served to open the grand tunnel between Nice and Villefranche, on the railroad line from Nice to Monaco, Menton, and Genoa, was celebrated by a distinguished company with imposing ceremonies on the 21st of August. The tunnel is nearly a mile in length.

ONE of the questions to be treated at the fourth congress of the International Association for the Advancement of the Sciences, which met at Berne on the 28th of August, was as follows: "What is the influence of the guardianship of the woods and waters of the high countries of Europe on the lower? Would it be possible to establish a community of legislation among the different countries which depend upon the same river, to protect their respective interests? What ought to be the basis of such legislation, and by what means could it be realized?"

THE prospects of a revival of the commercial activity of the Mediterranean basin, foreshadowed by the opening of the Suez Canal, has caused a ripple in the placid bosom of Rome itself. The Pope is highly delighted with the notion of restoring Ostium as the entrepôt of the imperial city. A huge canal, docks, and warehouses are among the works contemplated.

LET no one say that anti-Cæsarism is not tolerated in Paris. On the afternoon of the 20th of August, the gay populace who promenaded the Champs Elysées, the Place de la Concorde, the Rue de Rivoli, and the Rue de Charenton, watched without molestation from gendarmes the slow progress of a colossal statue of Vercingetorix, which lay upon a long and substantial car with low wheels, and was destined, as all the world knew, to be set up eventually in that Alisia (Alise-Sainte-Reine of the Côte-d'Or) where Cæsar was long baffled, even if he then and there completed the subjugation of Gaul.



*Articles on any of the subjects usually discussed in this journal will be received from any quarter. If used, they will be liberally paid for; if rejected, they will be returned to the writers on the receipt of the requisite amount of postage stamps.*

*All Communications which pertain to the literary management of THE NATION should be addressed to the Editor.*

### THE DANGER OF THE HOUR.

THE whole question of the wisdom or folly of President Johnson's plan of reconstruction, as he is at present carrying it out, turns upon the amount of confidence which ought to be reposed in the good faith and good intentions of the Southern people. He is evidently of opinion, if we may judge by his action in the Sharkey-Slocum case in Mississippi, as well as by his language to the Southern delegations, that there is not and ought not to be any limit to this confidence. We are given to understand that before very long he means not only to permit the militia to be called out in all the Southern States, but to recall the Federal troops, except a few garrisons, and leave our Southern brethren entirely to their own devices.

Those who defend his course and his opinions do so by ridiculing the notion that there is any danger of a renewed attempt at insurrection in the South, but this is simply fighting a man of straw. There are very few people at the North who apprehend anything of the sort. The *Chicago Tribune* the other day showed, by an elaborate calculation, that the permission to call out the Southern militia would place 161,000 men under arms, most of them disbanded rebel soldiers, smarting under their defeats and still fired by the passions of the struggle, and gave its readers plainly to understand that it was fair to anticipate from these people a fresh effort to throw off the "Yankee yoke." We think this arming of the Southern militia to be unquestionably a very unwise and dangerous proceeding, but not because we expect it to lead to a fresh revolt.

There is nobody who has the least knowledge of the actual physical and moral condition of the South but must treat all such apprehensions as chimerical. There has probably never been a people, since the Gauls, so thoroughly beaten in war as the Southerners have been. The completeness of their overthrow has been in the exact ratio of the vigor and obstinacy of their resistance, and resistance more vigorous and more obstinate was probably never offered by any population of the same size. This generation is certainly completely at the mercy of its conqueror, and incapable of offering the least opposition to his mandates. Should it be able to bequeath its passions and hopes to the next one, there might be a possibility of the latter renewing the struggle, but the next generation is twenty years away, and we are not disposed to look forward so far.

What we fear from the President's policy is, not a renewal of the war, but the restoration of the state of things which led to the war. We, of course, do not anticipate a revival of slavery "pure and simple;" but it was not the fact of slavery in itself which led to the revolt, but the state of feeling and of manners which slavery bred—the hatred of democracy, the contempt for human rights, the horror of equality before the law, the proneness to violence which always results from inequality, the tone which all these things communicated to Southern manners, literature, education, religion, and society. What we fear now is the reconstruction at the South, not of "slave society," properly so called, but of a society so closely resembling slave society as to reproduce most of the phenomena which made slave society, politically, so obnoxious, and so dangerous, to the public peace and prosperity. The great lesson which we have learned from the war, if we have learned any lesson at all, is that homogeneity, social as well as political, is the first condition of our national existence. This government, we now know as well as we know anything, cannot be carried on, if any portion of the population which lives under it is legally kept in degradation, or legally excluded from the enjoyment of any of the rights or privileges possessed by the rest of the community.

The great question to be answered, therefore, by those who propose handing the South over immediately to the control of the

Southern whites, is not whether they can be trusted not to revolt again, or not to restore slavery again—we know them to be physically unable to do either of these things—but whether they can be trusted to establish among them that form of social organization which we know to be necessary to the peace and happiness of the nation, to the vindication of our own principles before the world, and to secure which we have spent millions of treasure and torrents of blood. Nobody will venture to answer this in the affirmative. Nobody has answered it in the affirmative. The partisans of the South content themselves with calling attention to the resignation with which they gave up slavery, after it had been destroyed by force, and the alacrity with which they laid down their arms, when further resistance meant slaughter or starvation. But can they be trusted to take measures for putting the negro fairly under the protection of the laws—that is, giving him, weak, helpless, and degraded as he has been, those guarantees for life, liberty, and the pursuit of happiness which the white race, strong, rich, powerful, and energetic as it knows itself to be, declares to be essential for its liberty and security? Can they be trusted with the sole management of one of the most difficult and delicate of political processes, the endowment of slaves with the feelings and aspirations of freemen, when they have up to the last moment fought against it sword in hand, and at this moment make no secret of the loathing and rage which it excites in them, of their confidence that it will fail, and of their hopes that it may fail?

He must be a very sanguine or very simple person who will say yes to all this, when we see that all through the South the men whom the people elect to take charge of the work of reconstruction which Mr. Johnson is committing, as we believe, most recklessly to their hands, are those who are notoriously most thoroughly impregnated with the old pro-slavery vices, the old pro-slavery passions, hates, and prejudices. The most popular man in South Carolina to-day is Wade Hampton, and there is not another in the South who hates freedom, and the North, and the Union more thoroughly. We might go through every one of the revolted States and cite cases of the same kind. The men who are animated by Northern ideas are either nobodies or persons in whom their neighbors have no confidence. The men whom President Johnson has put in office are often like the redoubtable Perry, persons who make speeches in Charleston which are not intended to be heard in Washington. This personage, as our readers may remember, avowed himself at Greenville a humiliated, outraged, unrepentant, Yankee-hating Southerner, who believed that "freedom would be a curse to the negro;" but on receiving his appointment as provisional governor, two days afterwards, he made his appearance at Washington, with eight friends, in the character of a "wandering sheep," and matched himself to bleat "Union sentiments" against any loyal wether in the capital.

What we fear is, that we are now about to witness a phenomenon for which many calm and shrewd observers have all along looked with fear and trembling: the free States once more overcome by that disposition to temporize, compromise, and put off the evil day, and hope for the best, to which whatever of shame, humiliation, and disaster there has been in the history of the last forty years may be directly traced. We are all more or less affected by the languor which was sure to follow the prodigious efforts of the war. The public mind is a little weary of contention and agitation; trade is rapidly reviving, and Southern orders are just as sweet and as soothing, Southern tongues just as glib and as smooth, as ever they were. The restoration of a Union of some kind or other seems within easy reach, and it is no more difficult for Southern orators and traders to persuade their Northern friends that all trouble is over and that the political millennium is at hand, than it was to persuade them ten years ago that the very existence of Northern society depended on Southern favor and encouragement. We are but witnessing to-day, in the impression produced on Northern opinion by Southern professions, a fresh display of that consummate political ability which, for half a century, laid a large, acute, intelligent, and industrious community prostrate at the feet of a few thousand slave-owners, the product of a society on which civilization had left only the faintest traces. And we run great risk at this moment of being dragged into compromises, the consequences of which our children will rue, as we have rued those of our fathers.

## OUR REVOLUTIONARY FATHERS AND THE CONQUERED TORIES.

THERE appears to be much danger that our views in regard to the crime of treason, and the punishment due to it, may become so diluted from a variety of causes as seriously to impair the vital force of that public opinion which must decide our policy in reference to some of the most important practical questions of the day. The tendency evidently is to belittle or palliate the crime, to seek excuses for the offender, and to invoke for his protection amnesty, if not oblivion of the past.

If we trace the history of that confusion of moral ideas which undoubtedly prevails on this subject, we shall find that it has a modern origin. Leniency towards victims of an unsuccessful rebellion first came into fashion during the period of the French Revolution, when the changes in the government of that country were so sudden, so frequent, and so violent, that it seemed monstrous to punish even the leaders of the revolt of to-day, because of an unsuccessful attempt to overthrow the usurpation of yesterday. The influence of the doctrine, however, did not extend beyond the philosophers, for each successive faction as it grasped the brief authority fell readily into the "easy sin of vengeance" and proscription. Exile or death was the fate universally reserved to the conquered. The frequent recurrence of these frightful scenes in France, their shocking cruelty, made more hideous as the prize of victory usually fell into the hands of the basest demagogues; the extraordinary extension which the doctrine of constructive treason had reached in England; and, more than all, perhaps, the influence of that modern humane spirit which has sought to mitigate the barbarous cruelties of the old criminal code, have all combined to produce a great reaction in public opinion throughout the civilized world, not only in regard to the punishment due to treason, but as to the nature of the crime itself. With the exception, however, of the declaration made by the short-lived Provisional Government of France in 1848, at the suggestion of Lamartine, that no one should thenceforth be put to death for a "political offence"—in plain English, for treason—we believe that no instance can be found in the legislation of modern Europe or in this country in which philosophical theories in regard to the right of revolution have been allowed to modify in the least the old established law of treason. While by means of discussions, designed to bring about a mitigation of the severity of the penal code, almost every other crime in the calendar has been analyzed in the spirit of an enlightened humanity, with a view of grading the punishment in such due proportion as the moral heinousness of the offence or the safety of society seemed to require, the crime of treason and the punishment due to the traitor (except in the omission of a certain barbarous mutilation formerly connected with his execution) have remained unchanged on the statute book. In this country particularly, where everything social and political has changed since the adoption of the Constitution, treason against the United States, as it is sharply, clearly, briefly defined in that Constitution, has withstood all attempts to weaken its force and directness by the sophistries of interpretation. At the same time, it cannot be denied that either because we have known hitherto nothing practically of the real enormity of treason, or because, perhaps, we have been somewhat staggered by the very stupendous proportions it has attained, we are by no means decided how far the letter of the law should be vindicated.

It has long been the fashion to appeal to the wisdom, moderation, and justice of our Revolutionary fathers as furnishing us with a true rule of action in many things; particularly are we pointed to their policy in time of war, both towards domestic and foreign enemies, as indicating the course we should pursue. There are few matters connected with the history of the Revolution less generally known than the measures adopted by the various colonists concerning those of their countrymen who were adherents to the Crown—Loyalists, or Tories, as they were called. It seems to us that, at the present juncture, we may study with profit the legislation not only directed against these loyalists, during the war, but persisted in after peace was declared and immediate danger was passed. The subject has been most luminously treated by Mr. Sabine, in the preface to his valuable work on "American Loyalists," from which we shall borrow from illustrations we may need for that purpose.

Passing by the numerous outbreaks of popular violence prior to the commencement of hostilities, which serve to show the widespread disaffection towards the Royal Government, we come to the formal acts of legislation adopted by the various colonial assemblies in reference to the adherents of the Crown, as soon as the popular party got control of them. These acts are remarkable in many respects—in none more so than in the unanimity of sentiment which they indicate as prevailing in all the colonies as to the proper policy to be pursued, not only towards those guilty of the technical crime of treason, but also towards those who in any way, direct or indirect, afforded aid and comfort to the public enemy.

In Massachusetts, a person suspected of enmity to the Whig cause could be arrested and banished. Three hundred and eight of her inhabitants, who had fled from their homes, were threatened by act of Assembly with imprisonment and transportation in case of their return, and for a second offence with death, without benefit of clergy.

In New Hampshire a similar act was passed. Seventy-six of her inhabitants were banished, and the estates of the most obnoxious were confiscated.

In Connecticut, affording any aid or information whatever to the enemy involved the loss of the offender's estate and his imprisonment for three years.

In Rhode Island similar offences were punished by death and confiscation of estate.

In New York, county committees were authorized to apprehend and to decide upon the guilt of those suspected of correspondence with the enemy, and to banish them if found guilty. The effects of fifty-nine persons, of whom three were women, passed in this State by confiscation to the "people."

In New Jersey the persons and estates of the loyalists were governed by a similarly rigid code, while in Pennsylvania the number of persons who were attainted of treason by special acts, or by proclamations of the President and Council, was nearly five hundred.

Maryland confiscated and appropriated the property of all persons in allegiance to the British Crown, and Virginia passed a resolution that persons of a given description should be regarded as aliens, and that their property should be sold, and the proceeds paid into the public treasury.

In North Carolina and Georgia similar laws were enacted, while those passed by South Carolina on the subject exceeded in severity those of any member of the Confederacy. The loyalists were divided by the law of this State into four classes, their relative guilt determined without any judicial enquiry whatever, and penalties were imposed upon the different persons embraced in them, from a fine of twelve and a half per cent. of the value of their estates, to their absolute confiscation, and the perpetual banishment of their owners.

Measures such as these appear of merciless severity when contrasted with the provisions of our recent Confiscation acts, and certainly very little heed was paid by our fathers to those "inborn rights" of which we have heard so much of late, trial by jury and exemption from military jurisdiction. Yet we never hear that they were regarded at the time by any one save their victims as too severe. On the contrary, they were considered by all good patriots as essential to the public safety and the success of our arms. So deep was the conviction on this subject, that these proscriptive measures were persisted in long after peace was declared, and in the face of the provisions of a formal treaty made between Congress and Great Britain, which stipulated that the various State legislatures should be urged to repeal their confiscation and banishment laws, and to grant compensation to the loyalists for the losses sustained by them through the operation of these laws. This recommendation was absolutely unheeded. Not a single State repealed her confiscation laws, or made restitution to the unfortunate Tories. We may suppose that strong personal animosities engendered before the war, and made intensely bitter by the events of the contest, may have had something to do with this determination, but we think it is fair to infer that a deeper and more statesmanlike motive indicated the policy to be pursued. The leaders of the Revolution no doubt thought that in establishing a new government upon a popular basis, the success of the experiment would be gravely compromised by the



presence and influence of those whose notions of royal prerogative were so deeply rooted as to be wholly irreconcilable with any true theory of popular sovereignty. They very justly feared the influence of the talents, the personal character, and of the large landed estates of their opponents. They determined to establish a republican form of government, and logically (whether justly or unjustly to individuals) they made up their minds to eliminate from the country every disturbing element by which they thought that the success of the experiment would be hazarded. The result proves, we think, that they acted wisely in adopting such a policy. We may mourn, if we choose, over the injustice of the proscription and exile of many of the loyalists, and may pity the many hardships they were forced to endure in the wild regions of Canada and New Brunswick, where new homes were provided for them, but nothing can be clearer than that the most deep-rooted principle of our American life, its intense nationality and love of independence, owed its birth and rapid development to the general agreement of opinions which then prevailed in regard to the great principles of self-government. How different might have been the result had the Tories been allowed to assist in bringing order out of chaos in 1789, it is easy to conjecture.

When Napoleon, after his return from Elba, was preparing the *Acte Additionel*, designed by its provisions to secure the support of the liberal party in France, he refused, in opposition to the opinion of many of the wisest men in the Council of State, to declare formally that, under the new system, the penalty of confiscation for political crimes should be abolished. "I do not mean," said he, "to make use of this tremendous power to harm the hair of a human being, but I wish to hold it *in terrorem* over the head of Talleyrand at the Congress of Vienna, over certain of my former officers, now courtiers of Louis XVIII., at Ghent, and over certain doubtful prefects here, because it is just now the most effective instrument for the real good of the country that I can employ."

### THE MUDDLE, AND THE WAY OUT OF IT

WE believe it is Hoyle—it may be Mathews; at any rate, some supreme authority—who says that a *good* whist-player knows how to observe the rules of the game, while a *great* whist-player knows when to break them. This maxim is as true of war and of politics as of whist. A good general or a good statesman is one who has well studied the science of war or of government, and knows how to apply its practical rules to the ordinary experiences of military or civil affairs. A great general or a great statesman is one who can pierce through to the principles which lie beneath those sciences, and divine precisely when the state of affairs exists which can be only fitly met by disobeying their canons. This nation is now in precisely the crisis which calls for such an intervening intelligence, to extricate it from the very bonds and ligaments with which it has bound its own limbs—as its enemies hope, to be offered up as a sacrifice to their malice and revenge. There is a general instinctive feeling of this necessity pervading the loyal part of the nation, and as general an inability to discern whence and how the deliverance is to come. The Anglo-Saxon reverence for established institutions and old prescriptions and recorded precedents, which forms so striking a feature in the American character, makes us shrink from refusing to follow whither they seem to point, in spite of our misgivings that it may lead us to destruction. It is the collision between this feeling and veneration for the past with the sense of the instant necessities of the present that produces the hopeless muddle in which too many good men now feel themselves, and in which they will be apt always to find themselves whenever they set about making two incongruities coalesce.

This confusion of ideas arises from an inability or unwillingness to see that the rebellion has put the States engaged in it in a totally different relative position to the nation from that they occupied before they revolted. Many excellent persons cannot see where the new wine of impartial liberty which the nation has trodden out of the red wine-press of the rebellion can be put, excepting into the old bottles of State rights, though they have fearful forebodings that the bottles will burst to the utter spilling of the wine. The doctrine of the independence of the several States, including the right to regulate

their own internal affairs as seemed good (or evil) in their own eyes, was a political axiom which everybody accepted. Even the most extreme Abolitionists scrupulously avoided asking Congress to interfere with slavery in the States, because they believed it had no constitutional power in the premises. A very small portion of them, led by Gerrit Smith, held a different doctrine; but, as a general thing, the public opinion of the nation was unanimous on this point. The necessity of the case has changed public opinion as to that matter, so that the abolition of slavery, because necessary to the exclusive and highest welfare of the nation, is as unanimously accepted. But, on the mistaken supposition that the rebellion is ended, many conscientious persons are in doubt how the nation can do anything else than restore the rebel States to their old sovereignties, if they give the assent, which they cannot refuse, to the abolition of slavery. Of course, all the Copperheads at the North, who have been giving the rebels all the aid they dared during the war, are eager in their endeavors to rehabilitate them in their old pre-eminences as far as possible, now it is over. But men of acuteness and sense, of the most tried and undoubted loyalty, are exercised in their minds as to how the citizens of the rebel States can be hindered from settling at their pleasure the political condition of the dwellers within their borders, whatever the consequences to the nation may be, by citizens meaning only those who exercised the right of citizenship before the rebellion.

The remedy, we apprehend, is provided by the necessity of the case. The Government of the nation, having taken the steps necessary to suppress the armed rebellion, is not to be excused from taking such further ones as are necessary to make that suppression effectual and permanent. The only reconstruction which Congress has a right to consent to is one which shall secure the nation and all its inhabitants, North and South, black and white, in the possession of the equal rights and privileges which can alone give strength, security, and peace to the nation. The duty of the Government, including all its co-ordinate branches, is to consult the safety and welfare of the whole nation, and not to pander to the prejudices and passions of the rebellious portion of it. The safety and welfare of all the inhabitants of the nation cannot yet be trusted to the care and protection of the rebel States, restored to all their sovereign rights as exercised before the insurrection. That the rebellion is not killed, but only scotched, is evident enough from the hardships and cruelties to which the freedmen are subjected in all those States. Nothing but the presence and the fear of the interference of the United States troops prevents their reduction to a condition of virtual, if not nominal, slavery, as bad as that from which the nation has pledged itself to deliver them. And should the troops be withdrawn, the constitutional right of the citizens of each State to be regarded as citizens of every other State will be as dead a letter as Mr. Hoar found it in Carolina, and Mr. Hubbard in Louisiana, a dozen years ago; and as did the black citizens of Massachusetts and New York who were sold into slavery by those States, whose rights they went to defend before the courts of the nation. As long as the vicious and rebellious state of mind which the President's experiment in reconstruction has developed exists, neither he nor Congress has a right to regard the rebellion at an end and deliver the nation into the hands of those impenitent rebels and their Copperhead allies, or even into the fear of it. The sword has cut the knot which seemed inextricably to bind the whole nation to the triumphing wheels of the slaveocratic Democracy, and it must be its own fault if it permits itself to be tied again by the ravelling strands of the parted coil.

If the President and the two Houses of Congress had the right to take all measures necessary for the reduction of the rebels, including even the abolition of their most sacred institution of slavery, the same right, and the co-ordinate duty, still inheres in them to take such further measures as shall make that reduction complete and perpetual. And this *ex necessitate rei*. As truly so as the necessity of the case extorted the emancipation of the slaves by the President under the war powers of the Constitution. This was justifiable, politically, because the life and honor of the whole nation demanded it. So its life and honor demand that it shall be protected now from having its victory turned into defeat by the cunning of the intestine enemies who have succumbed to its force. Constitution and laws, whether prescriptive, statutory, or popular, are not the life of a nation, but its raiment only. The

life is more than the raiment, and it is not to be sacrificed to a superstitious veneration for its vesture. All political progress towards freedom has been made by departure from old ideas when the critical moment came. Nothing could be more venerable than was monarchy in the eyes of the English people, and yet Cromwell decapitated it in the person of Charles I., and it has never, since that stroke, been what it was before. Kings were taught, as Boswell's father told Dr. Johnson, "that they had a joint in their necks," and have been the better for the lesson ever since. The Convention Parliament exiled Catholicism and despotism in the person of James II., and re-arranged the laws of descent, in utter contempt of divine right and the statutes and customs of the realm. A century ago our ancestors were sincerely loyal, and it was but here and there a sagacious eye foresaw that the crisis was coming upon them which would compel a reconstruction of American government upon the ruins of loyalty.

We cannot but think that President Johnson has complicated matters by his theory that the States have never been out of the Union. For he is himself obliged to contradict his own theory. If true, and if the rebellion was confined to individual traitors, why does he not leave the States in the hands of the loyal men and the pardoned rebels? Simply because he knows that it would be only to confound confusion worse than ever. The rebel States did, by their own solemn action, take themselves out of the Union in fact, and kill and murder hundreds of thousands of loyal men to sustain their action; and no abstract political theory should be allowed to put them in a better position than that in which they elected to place themselves. They are not actually, and we believe Congress will declare that they are not theoretically, States in any proper sense of the word. They are neither States nor yet Territories; but collections of men in an entirely abnormal political condition. They are conquered rebels, individually and collectively, at the mercy of the nation they have so heinously offended and grievously injured. Congress has no right to erect them again into States until they have proved themselves capable of the republican form of government the Constitution requires it to guarantee to all the constituents of the nation. This will be done when political privileges are granted on equal terms, satisfactory to the sovereign nation, without distinction of race or color, to the inhabitants of the several jurisdictions; when the oath of every man is equal before the law; and when the ordinary tribunals to be organized are competent to protect the life, property, and rights of all the people. Until then a military force must be maintained in every so-called State sufficient to preserve the peace and protect original loyalists, white and black, with military courts to do the justice in all cases in which justice can be had in no other way. And this as much for the real benefit of the South as of the North, and it is this that loyal men there, as well as here, entreat at the hands of Government. The accepted time for doing this is *now*, and will soon be past, and if not used aright, the last end of this nation may be worse than the first.

#### THE PARSON AND THE ATTORNEY.

We think that our contemporaries of the press have hardly done their duty by the public, during the late hot weather, in not refreshing it more generally than they have done with the correspondence between Governor Brownlow and Mr. George T. Curtis of this city. Nothing could be more refreshing during the heated term than the original letter of Mr. Curtis, were not its contents made yet more refrigerate by the pail of cold water emptied in his face by the reverend Governor. We freely admit our own *laches* in the premises, and can only crave pardon of our readers for not having been more instant in ministering to their ardent necessities. It seems that an unhappy patriot in Tennessee, W. C. Kain by name, is in the clutches of the law for the trifling indiscretion of treason and murder. For some reason best known to himself, either that he could get no counsel nearer home willing to undertake his case, or that there was some particular adaptedness to it on the part of Governor Brownlow's correspondent, it appears that he has had to resort to this city for legal assistance. Mr. Curtis was the counsel learned in the law on whom this honorable distinction fell. We presume very few of our readers ever heard his name, unless any of

them should happen to remember him as the fortunate man who had the happiness to postpone the rebellion by the sacrificial offering of a black victim, Thomas Sims by name, under the beneficent auspices of the Fugitive Slave Law. It happened to be almost the first case in the City of Notions under that humane statute, and accordingly excited intense interest, and gave to the name of Mr. Curtis the only general notoriety that ever attached to it. Whether it was that this notoriety was not of a sort to benefit his practice, and that one of the notions of Boston was that negro-hunting, however useful, was not ornamental to the character of the legal profession, so that she turned her cold shoulder to him, at any rate the Sims Commissioner (which honorable addition to his style and title was conferred upon him for the gallant and meritorious service just mentioned) shook off the dust of his feet against her and sought the more congenial atmosphere of New York, several years since. He recently gave notice of his continued existence by the following characteristic epistle:

"NEW YORK, August 5.

"His Excellency Governor Brownlow:

"SIR: I have been retained as counsel to assist in the defence of W. C. Kain, now under indictment in one of the courts of your State for murder and treason. No one has requested me to write to you; but when I last heard from Mr. Kain he mentioned the manner of his confinement, and I could not help being shocked by its unnecessary rigor. I am not ignorant of the state of feeling in Tennessee towards persons on the Confederate side who may be more or less justly obnoxious to popular indignation. Into the merits or demerits of their cases I do not wish to enter, excepting in the instance of Mr. Kain, as I may have a duty to discharge on the issues which the State has formally made with him in its legal tribunals. But I cannot think it unbecoming in me to suggest to the authorities of the State that indictment and trial on capital accusations, and the detention necessary therefore, are punishment enough in advance of the possible end of such proceedings; and that all unnecessary rigor attending the confinement, whatever the supposed provocations, is what all men may justly deplore. I am sensible that the Union people of your State have endured great suffering, but the dignity and humanity with which it shall administer its laws and vindicate its sovereignty, will have much to do with its good name.

"Let me beg you, sir, to use your influence or your authority, and to see that this person is treated with no more severity than his detention requires.

I am, sir, very respectfully,

"Your obedient servant,

"GEORGE T. CURTIS."

It were worth a journey to Nashville to have seen the face of the militant minister and Governor when he first opened this epistle and gradually absorbed its contents. Being a minister, we trust he had the grace to forbear swearing, though if he had not, we think too well of the Recording Angel to doubt for a moment that he would have dropped a tear upon the word and blotted it out for ever. The phlegm of the New York attorney in writing such a homily to Governor Brownlow was only to be equalled by his intrepidity in attacking so unequal an antagonist. But we apprehend his courage was somewhat cooled by the parson's response, which was as follows:

"STATE OF TENNESSEE, EXECUTIVE DEPARTMENT, }  
"NASHVILLE, August 18, 1865. }

"George T. Curtis, Esq., New York:

"SIR: Your favor of the 5th instant is received. Upon some letter or message from one W. C. Kain, a felon in jail at Knoxville, you are shocked by the unnecessary rigor of his confinement, and suggest that 'the dignity and humanity with which the State shall administer its laws have much to do with its good name.' I know nothing of the nature of the report your client may have made to you, but I know the sheriff of Knox County, to whom your letter should have been addressed, and know him to be an excellent man, who has rendered gallant service as an officer in our army, and I am confident that any statements of your client, charging the sheriff with barbarous treatment of prisoners, are untrue. Your client, no doubt, thinks it very hard that he should be confined at all for the conscientious (?) discharge of his duty as an officer, in such insignificant matters as hanging and starving a few Union citizens, whipping others at the stake or at the cart-wheel, and stripping Union ladies who were passing through the rebel lines of all their clothing, except what they had upon their persons, for the heinous offence of thinking the rebellion wrong. In this opinion you may agree with him. I, who do not profess to be so deeply versed in Vattel and Puffendorf, cannot.

"I shall endeavor to see that the State vindicates its sovereignty by administering its laws with dignity and humanity; and while profoundly grateful for the solicitude you manifest for the reputation of Tennessee, I must be allowed to say that, when fully convinced that I,



or the subordinate executive officers of the State, need instructions as to the proper discharge of the grave official duties devolving upon us from attorneys residing in other States, of your well-known proclivities, I will give you due notice, but until that time such gratuitous, patronizing lectures as yours can be regarded in no other light than as unwarrantable impertinence.

"Very respectfully, your obedient servant,

"W. G. BROWNLOW,  
"Governor of Tennessee."

We should judge from this specimen that Parson Brownlow's dealings with sinners must be sharp and effectual, and we hope, rather than expect, that this labor may be blessed to the spiritual improvement and growth in grace of its object. If it cannot impart greater modesty, it may produce more reticence. Governor Brownlow speaks of the "well-known proclivities" of Mr. Curtis, from which we infer that the one famous act of his life has reached his ears. He infers that Mr. Curtis's tastes and character remain unchanged, which, for all we know to the contrary, may be so. But what a change, and how blessed a one, has come over him since Commissioner Curtis sent Sims back to Savannah! And no one would admit it more candidly, or rejoice over it more sincerely, than he. We will here take leave of the subject, by congratulating Mr. Kain on his choice of a counsellor, Mr. Curtis on his good fortune in such a client, and Tennessee and the world at large on a governor like Parson Brownlow, so eminently competent to deal with them both.

#### MR. HARLAN ON RECONSTRUCTION.

SECRETARY HARLAN, of the Department of the Interior, lately wrote a letter to a friend in Iowa, for the purpose of showing that "the President's policy" on negro suffrage does not conflict with the resolution of the Iowa Republicans to strike the word "white" from the franchise clause of their State constitution. "The real question at issue, in a national point of view," says the secretary, "is not whether negroes shall be permitted to vote, but whether they shall derive that authority from the national Government, or from the State governments respectively." Theoretically Mr. Harlan may be right, but practically he is entirely wrong—and for this reason: not one of the Southern States is prepared, or ever will be prepared in our time, to allow negroes to vote. The whole matter is the completest of foregone conclusions, if the Southern States are to decide what is to be the *status* of the colored man. From Virginia to Florida, they are all ready to declare that the colored race shall never be admitted to the polls. Under the pressure of the sword, which proceeds from our exercise of the right of conquest, the States that were in rebellion admit that the blacks are free, but they go no further—and they go so far as that only because they cannot help themselves. Suppose the President had carried his constitutional scruples a step further, and had remitted to each of the conquered States the decision of the question, "Has slavery any longer an existence here?"—does Mr. Harlan suppose they would have decided that slavery did not exist? Of course he does not. No man, with his faculties in a tolerably clear state, could come to the conclusion that any Southern State would have declared that slavery did not exist merely because the victors in the civil war had so declared in advance, but still left the question to be decided by the vanquished. Whatever should be left for the decision of the vanquished, they would be sure to decide in accordance with their feelings and prejudices, and their supposed interests.

It must have been clear from the beginning that the colored race had nothing to hope from the Southern whites. To remit the settlement of their condition to those whites, their late masters, in the belief that those masters would act humanely and justly, was as wise as it would have been to expect that a community of wreckers would be especially tender of the moral rights of shipwrecked mariners. What should have been done was this: the conquered States should have been required to admit their colored inhabitants to the enjoyment of all the rights that belong to their white inhabitants. We had as good a right to impose such a condition on them as we had to impose the condition that they should abolish slavery, or, which is the same thing, admit that we had abolished it. We disregarded State rights when we made use of our military power to abolish slavery, and

we could have done no more had we insisted that the late slaves should be recognized as men and as citizens. Such a course would have settled, at once and for ever, a matter that now threatens to vex the country as long as it was vexed by the slavery question itself. It would have been the treatment of a bold surgeon who cuts away a foul excrescence, and would have borne no resemblance to that quackish treatment which converts such excrescence into a permanent sore, through which the strength of the body is drawn away. Every week something is done to show that the conquered States are governed militarily, than which nothing could be more opposed to the requirements of the Constitution. If the Constitution is to be disregarded in secondary matters, why should it become so sacred whenever it is proved to stand, or is supposed to stand, in the way of justice and liberality? In fact, if there is anything in what is called "the President's policy," the President's course is all wrong. Under that policy he is bound to withdraw every soldier from the Southern States, and to permit the people of those States to decide every question that concerns them precisely as they shall please to decide it. Even if they should declare that slavery still exists, we cannot see how he could object to such action, for slavery has not been constitutionally abolished, and, therefore, if his principle is sound, he has no right to say to any State that it must and shall admit that slavery has no existence within its borders. To insist that each conquered State should start on its new career only after having recognized the right of every negro to full citizenship, would be no more subversive of the rights of that State than would be that other condition which has been enforced, namely, that each conquered State should start on its new career only after having recognized the abolition of slavery, such abolition being the result of military violence, and no more a constitutional proceeding than it would have been constitutional to have made Gen. Grant dictator, in order that he might have had perfect power for the perfect prosecution of the war. It is a mere sham and a delusion to suppose that questions like those which have proceeded from the occurrence of the secession war are to be settled by resort to quirks that might answer for a political discussion in a debating society in Virginia in days when '98 was yet a magical number, but which are entirely out of place when a great people is seeking repose after a season of revolution; but who are not so anxious for that repose as to be ready to disregard the claims of justice, or indifferent to their plighted faith.

Mr. Harlan writes:

"President Johnson maintains the doctrine that the Constitution of the United States does not confer on the federal Government the right to interfere primarily with the right of suffrage in any State of the Union; that the question may arise, and properly be decided by Congress, when senators and members present themselves for admission to seats in that body, under the clause of the Constitution which makes each House the exclusive judge of the qualifications and elections of members, and that other clause of the Constitution of the United States, which provides 'that the United States shall guarantee to every State in the Union a republican form of government.' I infer that if any State shall adopt a law on the subject of suffrage which would clearly show the State government to be other than republican, it would be the duty of Congress to reject applicants for seats, and to adopt whatever legislative remedies would in their judgment be necessary to carry out the guaranties of the Constitution."

"That the Constitution of the United States does not confer upon the federal Government the right to interfere primarily with the right of suffrage in any State of the Union," may be a perfectly sound proposition, but it has no practical connection with the question of negro suffrage. If the Constitution is to be observed, slavery itself is not abolished; and if it is not to be observed, why should not negroes be voters as well as white men? That Congress—that is, a part only of the federal Government—will have it in its power to undo that which, Mr. Harlan tells us, the entire federal Government cannot prevent being done, is a strange position, to say the least of it. The Constitution, it is true, says that "each house shall be the judge of the elections, returns, and qualifications of its own members;" but could this provision be made to apply to so extraordinary a case as that which will present itself to the next Congress? This case is to be one that must differ entirely from such cases of contested elections as occurred under the old polity, when there was no dispute as to principle, but only discussions as to modes of procedure, and so forth. If Congress should set

aside persons claiming to be members of that body, because chosen in accordance with "the President's policy," would not there be a collision between the Executive and the Legislature? The question would come up, "Are these States in the Union?" If they are in the Union, as the President holds, how could Congress refuse to receive their members? And how could the President side with Congress, supposing that body to refuse them admission, without condemning all that he has done?—without admitting that he had stultified himself? Such admission would be a confession of failure that we have no right to expect from a President of the United States, and, least of all, from a President who has so strong an individuality as every act of Mr. Johnson's shows him to possess. He would be at war with Congress at once. On the other hand, what would become of the colored population if Congress should admit the Southern members to seats, though that population had been disregarded when those members were chosen? The matter must be a most troublesome one, let it be settled either way; and all the trouble that will come from it might have been avoided had the matter been firmly treated from the first—as firmly, let us say, as the abolition of slavery question was treated.

Mr. Harlan's reference to the "republican form of government" provision of the Constitution does not help the matter. His inference that Congress would not admit applicants for seats who had been chosen under a suffrage system clearly not republican, may be enough to satisfy himself, but it can satisfy nobody else; for the question would immediately present itself, "What is a republican government?" How this would be answered in Congress nobody can as yet tell. All we know is that it will furnish matter for endless discussion. Time that might be usefully employed will be devoted to the discussion of a question that ought literally to be beyond the possibility of debate; and anger will be excited among men who ought to be the firmest of friends, because they will not be able to agree on a point which need not have been introduced into Congress at all. One is bewildered by the thought of the vast amount of historical learning—duly "crammed" for the occasion—that will be brought to bear upon this "republican" discussion, and all of which will have as much real bearing on the subject of negro suffrage as an elaborate history of the Argonauts and the Golden Fleece would have proper place in an oration before a convention of wool-growers.

#### VITALITY OF THE FREED NEGROES.

WANT of space prevented us, in our last number, from fortifying our conclusions in regard to the probable extinction of the freedmen, by a reference to the history of the colored population of the British West Indies. It was a prevalent supposition not many years ago that emancipation had ruined the commerce and material prosperity of those islands. We imagine that the general impression at the present time, as to the population of those islands, is that it is dwindling away, and only kept up by the importation of coolies. Mr. Sewell's thorough work on "The Ordeal of Free Labor in the British West Indies," showed conclusively that emancipation had advanced them commercially and materially as well as socially and morally. It is our pleasure to exhibit the increased progress of the population, which has also resulted from emancipation. In Mr. Bryan Edwards' standard history of the British Colonies, a table of the populations of the different islands in 1791, including the Bahamas but not including the Bermudas, St. Lucia, and Trinidad, gives as the total population of the rest of the islands 544,000, in round numbers. By Parliamentary returns for the year 1826 and neighboring years, the population of the same islands footed up only 689,000, that is, 135,000 more than in 1791, though between 1791 and 1807, when the slave trade to all British possessions was stopped, from 160,000 to 240,000 slaves must have been introduced and retained. This estimate of the number of slaves introduced may seem high, but Humboldt states that at the time of the French Revolution 38,000 slaves, of whom these islands would take more than half, were annually absorbed by the British West India Colonies, and a Parliamentary return for the two years of 1802 and 1803 gives an annual mean of 10,500 slaves imported into and retained in these islands. From 1826 to 1844, when the next census was taken, a period embracing eight years of slavery, four of

apprenticeship, and six of freedom, the increase of the whole population in all the islands was 48,000 on a population of 734,000, or 3.5 per cent. for a period of ten years. The last Parliamentary return of the population of the British West Indies is for the year 1862. The total black and colored population was then 874,604. In 1844 no distinction was made between the white and the colored part of the population, except in Jamaica, St. Vincent, St. Lucia, and the Bahamas. If we take the white population in the other islands at the same number that it was in 1834, whatever error there will be will tend to reduce the real increase of the free colored between the years 1844 and 1862, since the white population in these islands somewhat increased between 1834 and 1844. Thus calculated, the white population in 1844 was 48,339, and the colored population was 733,736. The gain of the colored population in the 18 years was 140,868. The number of coolie immigrants included in this number (estimating from the data given by Cochin for all the islands up to 1856, and from the numbers stated by other authorities as being in several of the islands in 1860) cannot be more than 45,000. The increase of the colored population from 1844 to 1862 will then be reduced to 95,800, which gives a decennial rate of increase of 7.37 per cent. This increase was made in spite of the general insalubrity of great portions of the islands, of which an idea can be gained from the fact that the annual mortality among the British troops is as high as one in twenty, and in spite of cholera epidemics in Jamaica and Barbadoes, which were said to have carried off nearly 60,000 inhabitants in all. The increase of the white population during the same period was not more than 4 per cent. If the accuracy of the return for Jamaica, which makes the population 66,000 greater than in 1844, and very much greater than Mr. Sewell estimated it in 1860, be questioned, we will throw Jamaica altogether out of consideration. Taking only the other islands, and calculating the increase by the same means as before, the increase, after deducting 25,000 for the coolies who may have swelled the sum, is 49,000 over a population of 373,000 in 1844, or at the rate of 7.37 per cent. for ten years. To sum up the results we have exhibited, while in 35 years of slavery the population of the British West Indies diminished one and a half to five per cent. every ten years, and in 18 years, two-thirds of which were passed under slavery or the apprentice system, it increased only at the rate of 3.5 in ten years, in the following 18 years of freedom the colored population increased at the rate of 7.37, a rate more than double the preceding.

## Correspondence.

### THE BASIS OF SUFFRAGE.

TO THE EDITOR OF THE NATION:

One of the weightiest arguments in favor of the extension of the elective franchise to the colored race is the disproportionate power that the whites of the South will otherwise have in Congress when their States come to be represented according to their whole population. The danger, it is true, will not become an immediate one until the next decennial census; still, it is important that we should consider the subject thoroughly now, and find the surest means of preventing this result.

At present, the public mind seems to be settling in favor of the plan which is supported by the high authority of Dr. Lieber, Senator Sumner, and General Schenck, that the Constitution should be so amended as to make representation depend upon the number of voters, instead of the number of inhabitants. This would, it is thought, make it the interest of the people of the South to admit the colored people to the suffrage; and we should thus obtain our object by the direct and voluntary action of the Southern people themselves. This would certainly be a result whose importance we could hardly estimate too highly. The free gift of the suffrage by the States directly concerned would be an act which would work powerfully for harmony, while there is danger that the imposition of a rule by national power would be a constant source of dissatisfaction. It is to be observed, however, that the proposed measure is at best an *expedient*; that it is proposed, not as just and right in itself, but as a means to obtain the end which happens just now to be uppermost in our minds. It ought to be remembered, further, that the suffrage would, under these circumstances, not be a free gift, but a bargain; that the passage of this amendment would be nothing more nor less than a bribe offered to the Southern whites to induce them to



grant a certain privilege to the blacks. It may be doubted whether, under these circumstances, the act would have the harmonizing effect ascribed to it. We ought, therefore, before deciding in favor of this proposition, to satisfy ourselves that it is a good and wise one in itself—not merely a convenient way of accomplishing this special object.

Have the people of the United States really considered the subject of the proper basis of representation, and made up their minds that this ought to be the *number of voters* instead of the *number of inhabitants*, as at present? There is no pretence that they have done this. Some forty years ago they did consider the subject in some of the States (New York for instance), and deliberately abandoned this very principle which is now proposed for re-adoption, as well as the more aristocratic one of *taxation*, and since that time *population* has been universally assumed as the correct basis—the only question having been, how to obtain the exactest possible proportion between population and representation by the formation of equal districts. It may be the people were wrong at that time, and made an unwise change; the fact, at any rate, shows that this sudden disposition to go back to the old method is a temporary whim—not a conviction reached by the observation of actual inconveniences and disadvantages in the present one. If it were not for this new issue coming up just at this time, it is not likely that any one would have thought of changing the basis of representation.

We ought, therefore, first of all, to discuss the question upon general grounds. What is the most just and satisfactory principle on which to establish the rate of representation in a republic? If we should decide that the number of *voters* is the true basis, we should be ready to favor Mr. Sumner's proposed amendment. If, on the other hand, there should appear to be no reason in theory or in experience to be dissatisfied with our present system, we should be slow to abandon it. It would then be our duty to see whether there is not some other way of securing to the colored people their rights, without making a change in the Constitution which we might afterwards be sorry for.

The burden of proof is, of course, with those who propose the innovation. They are bound to show that it is fairer and more philosophical to represent the voters alone than to represent the whole population. We, who oppose the amendment, cannot in justice be called upon to defend the established practice of the country, until some actual charges are brought against it, which has not yet been done. I shall, therefore, content myself with pointing out two objections in point of expediency that lie against the proposition.

The first is, that by its adoption the new States of the West would acquire disproportionate power in Congress, because of the larger proportion of adult males in their population. Let us compare, for instance, Massachusetts and Missouri, two States which are very nearly equal in population, and which would probably have the same number of representatives now that Missouri is a free State. Missouri has (according to the census of 1860) 1,182,012 inhabitants; Massachusetts, 1,231,066; so that Massachusetts might possibly have an extra member in virtue of a fractional excess. The number of males, however, reverses this proportion; *e. g.*, Missouri, 622,201; Massachusetts, 596,713; and, supposing half of these to be voters, we should have Missouri, 311,100; Massachusetts, 298,356. If, then, one member were allowed to 30,000 voters—a very probable ratio—Missouri would have ten, and Massachusetts nine. Taking population as a basis, Massachusetts has a slight advantage; taking the number of voters, Missouri would certainly gain a member. In the States and Territories further west the proportion of males is still greater: in Colorado, 32,654 out of 34,231; in Oregon, 31,451 out of 52,160. We in the East have no desire to discriminate against the Western States; but we have a right to demand that, if any distinction is made, it shall not be in favor of new and immature commonwealths against the old, compact, orderly, and cultivated communities of the East.

Another objection is of a more fundamental nature. It is proposed, by this measure, to hold out an inducement to all the States to extend the suffrage as widely as possible. But the suffrage has already been extended too widely, and the object should rather be to diminish than to increase the number of voters. At the same time, and for the same reason that we admit the thrifty and intelligent colored people to the elective franchise, we ought to exclude the ignorant and vicious whites. It cannot be repeated too often that the suffrage is not merely a right, but also a trust and a mighty power, and that no person has any claim upon it who will not exercise it conscientiously and understandingly. It is nothing but our irrational practice of allowing incompetent whites to vote, while we refused the privilege to competent blacks, that has enabled men like Vallandigham and the Woods to get political power into their hands. There are already temptations enough to extend the suffrage widely; there are enough precincts

ruled by jail-birds, unnaturalized foreigners, and men who cannot write their own names. Only two or three States in the Union make any attempt to require in their citizens a guaranty of their fitness. There has been reason to hope, in the natural progress of events, that others would see the wisdom of requiring some degree of education in their voters, and would, one after another, follow this example; but the adoption of the proposed amendment would at once check this wholesome reform, and start the various States off on a frantic race to see which would throw its doors open widest and register the largest number of names on its poll-books.

It ought to be observed, moreover, that this procedure, with all its objectionable features, might not, after all, bring about the desired result. It would still leave the power to the Southern people themselves, and if they retain the spirit of aristocracy in full strength, especially if they still cherish their old State-rights feelings, they might very likely choose to rule as an aristocracy in their own States rather than to obtain for those same States increased power in the national councils—councils which would be no longer controlled by them.

Having shown the objections that lie against this particular plan for obtaining negro suffrage, it is, perhaps, no more than fair that I should try to point out a better.

There are five ways of dealing with this subject. The first is, to leave it entirely to the States themselves, as at present. This is not so utterly hopeless as is generally assumed. There is a small but growing party in the Southern States which is in favor of educated suffrage for whites and blacks; and it may be best to wait a while, before taking any action ourselves, to see whether our object may not be obtained without any interposition on our part. If this should fail, as is likely, we can then adopt whatever course seems best.

The second method is that which has been discussed above—to persuade the States to do justice by the offer of a sort of bonus.

The third is for Congress to take the matter wholly into its own hands, as argued by "T. F." in THE NATION of August 24. His very able and ingenious argument failed to convince me that the obvious and accepted interpretation of the Constitution is not the correct one. It seems to me that nobody can study the debates of the convention, and especially those of the various State conventions called to ratify the Constitution, without arriving at the conclusion that any so centralizing provision as giving the national Government the power of determining the basis of suffrage for State elections could not by any possibility have received their approval. In this I consider the question merely as one of interpretation; apart from this, however, any proposition to give to the central Government power to fix the qualifications of voters for State concerns, would be equally objectionable, as being inconsistent with the healthy and harmonious relations of the national and State governments.

There is, however, one way in which it appears to me that Congress can meet this present issue without assuming any general control over State laws upon the subject. "T. F." assumes that, under the accepted theory, the power of Congress ceases completely and for ever as soon as the State is once admitted to the Union. This is, of course, true as a general principle. But there is an important exception: suppose that a condition is imposed upon the admission of a State—not tacitly, as when California was admitted as a free State, but in so many words—it would seem self-evident that Congress would have a right to enforce the observance of the condition. The admission of Missouri, for instance, was delayed for a year until a particular provision was struck out from her Constitution; will it be maintained that Missouri had a right to re-adopt that provision as soon as she was once safely in the Union? If the doctrine I have maintained is true, there would be nothing to prevent Congress from laying it down as a condition to the rehabilitation of the seceded States as members of the Union, that they shall modify their laws of suffrage in accordance with the principles of equality.

The power of Congress to do this may, however, be denied, and this method is open at any rate to the objection that it would apply only to the Southern States, leaving untouched the even more atrocious laws of certain Northern States. The fifth course seems to me, therefore, to be preferred; *i. e.*, to procure an amendment to the Constitution giving Congress the power to establish the qualifications of voters for national elections. The States would then still have the right, which legitimately belongs to them, of making the laws of suffrage in State elections as liberal or as discriminating as they please. In order, however, to secure full rights to the colored people, in State as well as national concerns, it would be desirable to pass a second amendment, prohibiting any discriminations on the ground of race or color. An amendment to this effect, as proposed by Mr. Wendell Phillips nearly two years ago, would cover the whole ground. Kill slavery, with all its attendant abominations, and establish the suffrage at once upon a just

basis. Indeed, if this were adopted, there would be no urgent need of the other one, giving to Congress the power over the qualifications of voters. It would be well, however, still to insist upon this, inasmuch as we might reasonably expect to carry it within no very long time, while the grand and generous principle of Mr. Phillips's proposition would be likely to be some years in making its way to popular favor. It should not be assumed, however, that the colored people would necessarily be obliged to wait all this time for their rights. The right to vote in national elections would speedily bring after it the right to vote in State elections; just as the right to testify before military tribunals, which General Howard is giving the negroes, must soon be followed by the right to testify in State courts.

If the national right of suffrage should be thus made uniform, the chief objection against basing representation on the number of electors would lose its force. In this case, however, it is doubtful whether any one would take the trouble to urge the amendment, inasmuch as there would no longer be any political object to gain by it.

MARCEL.

### TESTIMONY OF PRISONERS IN THEIR OWN DEFENCE.

NEW HAVEN, Sept. 11, 1865.

TO THE EDITOR OF THE NATION:

In your issue of the 7th inst., you state that "the Legislature of Maine, at its last session, passed an act which permits a prisoner, arraigned for murder, to testify in his own behalf," and you add that "a State which has more than once been a pioneer in our American legislation again excites our interest, and, we cannot err in saying, secures our commendation by a novel experiment in criminal legislation."

Without designing to rob the State of Maine of any credit that may be due to her, I would, nevertheless, desire to interpose a word in favor of Connecticut, which, more than twenty years ago, tried the "experiment in criminal legislation" which you speak of as "novel" and peculiar to Maine. The time was, in Connecticut, as in other States, when the testimony of parties in interest was not allowed in our courts, nor were accused persons allowed a hearing upon their own trial. An act was passed about the year 1832 permitting both these classes to tell their own story. It was found, however, in regard to criminal prosecutions, to work badly. The accused were great sufferers upon a skilful cross-examination, and, in mercy to them, the law was repealed, as that in Maine doubtless soon will be. The case you quote in support of the law will prove one of the exceptions in its favor. In this State there is doubtless much "hard swearing" by the parties in interest, but, on the whole, it is supposed that the benefits of the law outweigh its objectionable features, and there is, therefore, no opposition to it.

Connecticut is also the pioneer State in her legislation upon the law of libel. No other State has such an act for the protection of the newspaper press. This act, passed ten years ago, requires the *proof* of malice in the alleged libel. In other States the malice is *inferred* from the proof of the libel, and in all such cases *nominal* damages at least must be given to the plaintiff. In other words, an editor, with the best intentions, is liable to a criminal conviction for the publication of an erroneous statement. I say it is not so here. The malicious spirit, the design to injure, the *animus*, must be shown by the circumstances, in order to obtain even nominal damages. *Special damages*, however, if proved, may be obtained, as in other States; but these must be set forth in the declaration of the plaintiff. This is a great advance on the dark ages of English jurisprudence. Our Supreme Court, however, through the influence of one of the judges, an able but crotchety man, who is pitted against the liberal rulings of a brother member of the bench, has almost killed the law by its encroaching decisions. The Legislature will soon have to come to its defence, unless this antique judge shall be transferred to some other orbit of duty.

Connecticut took the initiative against the law allowing imprisonment for debt—against the act allowing the creation of lotteries and the sale of lottery-tickets. But Maine has the credit of her well-meant liquor law, and Connecticut the discredit of following her example in enacting a similar most unfortunate statute.

You will see, therefore, Mr. Editor, that Maine is not the pioneer State in every legal reform, but that Connecticut is ahead of her in experiments in the right direction.

TRUMBULL.

TO THE EDITOR OF THE NATION:

Noticing in No. 10 of your journal a brief article in which reference is made to some recent ameliorations of the law regulating criminal trials in England and in the State of Maine, I am induced to call your attention to the recent changes made by the last Legislature of the State of New York in respect, namely, to the testimony which may be admitted in such trials. I

would state, in the first place, however, that you seem, in the article referred to, to be in error in supposing that in the State of Maine the right of the accused to testify in his own behalf is restricted to capital trials. On the contrary, by the act of the Legislature of that State, passed in 1863, this right is secured to the accused "in the trial of all indictments, complaints, and other proceedings against persons charged with the commission of crimes or offences," and in the number for August, 1865, of the "American Law Register," new series, may be found a letter of Chief-Justice Appleton, of that State, to a member of a committee of the Senate of Massachusetts upon the subject, in which he gives his weighty and unqualified approval of the law.

The Legislature of New York, at their last session, continued the work, which has been going on at every succeeding session since the adoption of our Code of Procedure, of amending that statute. Amongst other things, they amended section 399 of the code, so that it now reads as follows: "A party to an action or special proceeding, in any and all courts, and before any and all tribunals, and before any and all officers acting judicially, may be examined as a witness on his own behalf, or in behalf of any other party, in the same manner and subject to the same rules of examination as any other witness." . . . "And nothing contained in section 8 of this act shall be held or construed to affect or restrain the operation of this section." The section 399 also contains provisos and limitations not material to be here cited.

A careful comparison of the different sections of the code as thus amended will demonstrate that the change introduced by the last Legislature is startling, not to say appalling. I proceed to point out the effect of this amendment.

It is to be observed, in the first place, that section 399 is contained in that part of the code designated Part 2, and by the eighth section of the code, mentioned in the amendment, the second part is declared to relate "to civil actions" . . . "except when otherwise provided therein." But section 399, as amended, both by its general language and by the special expression of its final clause, as cited above, does "otherwise provide." The operation of section 399 is no longer limited or affected by section 8.

Now, "actions" are declared by section 4 to be of two kinds:

1. Civil.

2. Criminal; and by section 5 a "criminal action" is defined to be one which "is prosecuted by the people of the State, as a party, against a person charged with a public offence, for the punishment thereof."

It follows, of necessity, that a person charged with a public offence "may," both upon his trial and upon the preliminary examination before a magistrate, "be examined as a witness on his own behalf, or in behalf of any other party"—a person charged or indicted jointly with him, for example—because, in the first case, the proceeding is a "criminal action;" and, in the second case, a "special proceeding."

It is not perceived that there can be any escape from this conclusion. It is, on the other hand, in no degree probable that the Legislature contemplated this result of their work, any more than they contemplated the disastrous results of their legislation in 1860, which opened the prison doors and "gave enlargement" to more than one convicted murderer. But we think it is abundantly clear that the author of the amendment not only understood exactly what he proposed to do, but also exactly how to do it.

We would not wish to be understood as committing ourselves against the amendment. It may be expedient, wise, just. But we do stand committed, now and always, against this style of legislation, and reprobate it as rash, because there was no need of haste; and blind, because it neither sought nor had the light afforded by public discussion. Certainly this most important legislation, touching in some degree the life, the liberty, the reputation, and the security of all, has been passed upon a people unaware of what was proposed and done for them and in their name.

We have not learned that this legislation has been hitherto brought under judicial discussion or decision; probably for the reason that its existence is not generally known.

The amendment suggests many and grave considerations bearing upon its propriety, from an exposition of which we at present refrain.

BRIEFLESS.

BROOKLYN, September 10, 1865.

### AN EXTRAORDINARY FUNERAL.

TO THE EDITOR OF THE NATION:

BEE FUNERAL.—A correspondent of an English paper transmits the following: "On Sunday morning last, I had the pleasure of witnessing a most interesting ceremony, which I desire to record for the benefit of your readers. While walking with a friend in a garden near Falkirk, we



observed two bees issuing from one of the hives, bearing between them the body of a defunct comrade, with which they flew for a distance of ten yards. We followed them closely, and noted the care with which they selected a convenient hole at the side of the gravel walk—the tenderness with which they committed the body, head downward, to the earth—and the solicitude with which they afterwards pushed against it two little stones, doubtless ‘in memoriam.’ Their task being ended, they paused for about a minute, perhaps to drop over the grave of their friend a sympathizing tear, when they flew away, and, as John Bunyan says in his dream, ‘I saw them no more.’”

The foregoing reminds me of a bit of experience in connection with a few months of shepherd-life in California. The record given is one of literal facts. Let our naturalist friends, therefore, take note of the same, and, if deemed worthy, write them down in their books.

All cattle-kind, in those days, unhampered by the conventionalities of fences and particular farms, were left to wander free over the plains, with no other restrictions than the attendance and general guardianship of a shepherd.

I was down one day to where the Little Butte Creek sinks on the prairie. The Little Butte on the one side, and a succession of sloughs on the other, gradually curving, came at length together, forming a sort of peninsula covered with oak timber. It was a most beautiful locality, and afforded a favorite watering-place for the cattle that were wont to range thereabouts.

Under a tree I found an ox that had apparently just died of a disease known as murrain. At the time I discovered the dead animal there was but one living one in sight, and he was following me in from where I had forded the slough. While I was busy in examining the dead to see if possible whose it might be, he halted; but as soon as I passed on out of the way, he began cautiously to approach it, and then, in a peculiar way, to smell of it, which he continued for some time, as if to ascertain what was the matter. After having satisfied himself, apparently, that his friend was indeed dead, he set up at first a low piteous howl, which gradually increased in intensity and power, until it ended in a piercing and terrific scream. The next moment the whole country around resounded with the tramp of bellowing cattle. That terrific knell had broke on the ears of the multitudes that roamed over those plains, was responded to, and in the short space of ten minutes no less than one hundred were either present or in the immediate neighborhood.

Then came the ceremony. Never having been before the witness of the performance of funeral rites among the brute creation, I naturally scrutinized this with not a little interest; especially so as it promised to be on a decidedly extensive scale.

They commenced first going up to the “deceased,” two by two, though sometimes three at a time, when each would smell about him for a moment, and then bid him a final farewell by each setting up a roar which always terminated in a scream. At length, those standing far outside, doubtless waxing impatient at the slow progress made, and in not readily getting access themselves to the dead, began on all sides to join their full sonorous voices in the chorus, by lowing and bellowing and screaming, chanting thus, as it were, a requiem full of power and pathos over their departed companion and friend.

What other interpretation could I give to this truly novel, yet touching and impressive scene? These animals had all traversed the burning plains together, together they had toiled their weary way over yon rugged mountains. Here, at last, in the midst of verdant plains, running waters, and the grateful shade of the promised land, one of their number perishes untimely. Why not this expression of grief on the part of the survivors?

There are evidently connected with the habits of the brute mysteries calculated to perplex for some time yet, if not for ever, the keenest search of man’s scientific ken.

II. R. H.

## THE SOUTH AS IT IS.

FROM OUR SPECIAL CORRESPONDENT.

X.

DANVILLE, VA., Sept. 5, 1865.

DANVILLE is built upon the crown and northern slope of some steep hills which lie along the south bank of the Dan River. It contains rather less than four thousand inhabitants, of all colors, but, on account of its conspicuous site, produces the impression of a larger and finer place than it is. As one approaches it from the north, and, looking across the river at his feet, sees its many handsome residences standing among trees and gardens, and recalls what he has observed of other towns, or of the absence of them,

in his travels through Virginia, the general aspect of the place is quite pleasing.

The river contributes as much to this effect as any other feature of the landscape, for it holds less of earth in solution than most of the other streams which I have seen, and is able to reflect the sky and change with it. The Dan is here about sixty rods wide, shallow and full of rocks, that everywhere show above the surface of the water. It is spanned by two ugly covered bridges, over one of which passes the railroad to Richmond, and the other is a toll-bridge for ordinary travel. The stream is rapid, and the water-power furnished by its current once set in motion the machinery of several tobacco factories, but they are now all idle. Business of every kind is said to be dull; most of the tobacco has already come in from the neighboring counties, and the people have almost nothing to sell. No national bank has yet been established, and there is an embarrassing scarcity of money, so that a large part of the local trade is transacted by way of barter—wood, corn, and other country produce being exchanged for salt, dry goods, and groceries.

The interior appearance of the place is not different from that of other small Southern towns. Queer-looking equestrians, on good, bad, or indifferent horses, riding over the ill-paved streets; three or four men sitting or standing at the doorway of every shop; negro men, with short cotton aprons, rolling casks, or carrying sacks; sunburnt boys, with long bleached hair, guarding country wagons, while the father exchanges a bag of wheat for a bag of salt, or the mother trades eggs for dry goods; venders of vegetables—these scantily fill the business street; and over everything, street, houses, shops, and men, is diffused an air of languor, and neglect, and half-decay, for which, perhaps, the relaxing influence of heat and glare is a good deal responsible. The liveliest figures to be seen are the quartermaster’s wagon teams, and the corporal’s guard, with bright bayonets, at the corner by the pump, who lie in wait to pick up every negro that has no pass, and march him away to do an hour’s work at policing camps or sweeping quarters.

As I stood and watched the amusing incidents of the arrests, I was addressed in sonorous tones by an elderly and ill-dressed gentleman with a very brown face and a red nose:

“My good sir, will you be so kind as to direct me to the Tunstall House? It must be that there is mint somewhere in this town, and they tell me I shall find it there if anywhere.” I was going to the hotel he wished to find, and on the way, as well as after we reached the place, the gentleman talked freely. He was from Columbia, and on his way to New York.

“I am going on, sir, to offer a great speculation to some of their rich men there. Friends of mine who have been North since the war ended tell me they found the business men very well intentioned and liberal, and rolling in wealth, sir. They have been coining money up there while we have been gradually coming down, down, down to our last mill. I’m from Bolivar County myself, State of Mississippi. I hail from Columbia, but that’s not my native place, nor where I mean to live. I was in Bolivar up to ’63, and I own just as good a tract of cotton-land out there now as any man wants. Why, I’ll tell you, sir; in the year eighteen hundred and sixty-one, with ninety-nine workers—not hands, mind! workers—I made six hundred and ninety-one bales of cotton! Well, I’ve heard of better doings than that, but I never saw them. But I can brag of that much. And I can do the same thing again, sir. But I have nothing left, you know, but my land and my experience; not a thing. The Confederate government, in 1862, issued one of the most blundering, foolish orders that was ever issued by any government on God’s earth—to burn all cotton within five miles of the river. My place, you see, is more than ten miles from the river; but the dirty rascal charged with the execution of the order owed me a grudge; hated me as—well, almost as much as I hated him; and he burnt every ounce of cotton I had. Nearly thirteen hundred bales he burned; a fortune, sir, if I had it to-day. But it’s gone. It was n’t a great while after that before the Yankees came and carried off all my mules but five, and destroyed about everything else on the plantation; so I concluded I’d pull up stakes and get away from there. I settled with all my niggers near Columbia. But by-and-by Mr. Sherman came along, and what was left me before I lost then; all my meat went, all my corn, all my mules, and some of my niggers. Most of them stayed, though, and it became a question what to do with them. I must tell you about that. You see I had brought them out of a good country into a devilish poor one, and though I might have turned them all loose when they became freedmen, that’s not my way, so I got a place out in Edgefield, and then I called them up and made a little speech. ‘Boys,’ said I, ‘I got you into this place, where you’re like enough to starve, and though we are all going back to Bolivar some day, we can’t go just at present; so I’ve prepared a place for you out in Edgefield district; that’s a better region than this, and we’ll start for there next week.’ But no, sir, they said they did n’t wish to

go; they'd stay there where they were. 'Stay here? Very good. But how are you going to live? You'll starve; for I won't undertake to feed you.' 'No, master, we won't starve; we've got something.' 'Yes,' said I, 'but you have n't enough to keep you till harvest.' Well, sir, to my astonishment, I found that they had provision for a twelvemonth. The d—d rascals had gone in and helped to sack Columbia. They had everything, sir, from a pound of tobacco to a porcelain egg; bacon, flour, any quantity of clothes. And I found out that Sherman's men, when they broke open my smoke-house and corn-house, had left a share of the plunder with the niggers. I had no more to say. The niggers did n't go to Edgefield, and are there yet, waiting for me to take them home to Mississippi. They're mighty afraid I'll be slipping off and leaving them there, but I'll do the fair thing, and they shall go back. Now this is what I'm going to do in New York. I shall say to some of those capitalists, 'Gentlemen, I've got a good plantation, and not a cent of money. The war has stripped me. I've got no mules, no carts, no blacksmith's shop, no farming implements. I want some of you to loan me ten thousand dollars to get these things with, and within a twelvemonth I engage to give you forty thousand dollars for your ten. Let me have cash enough to stock my plantation so as to set one hundred good niggers to work, and next year I'll pack six hundred bags of cotton, five hundred pounds to the bag.' I might go further, and guarantee more than that, but six hundred bags will do, with cotton where it is now. There's no investment like it. Why, sir, there's untold money in this thing for men with five, ten, and fifteen thousand dollars to lend. The man who loans me the money ought to come right down on the plantation with me or send down an agent. Then he can keep accounts of everything, and see that he is not cheated; he can keep accounts with the hands, and look after things generally. The niggers do work better—there's no use denying it, and I do n't blame them—they do work better for a Yankee than for one of us. No doubt, you think, I can get the money? My friends in Columbia say I can, but I'll have to get a pardon first. That I'm not going to do. I do n't believe it's necessary, and I'm not going near Washington. The d—d thing is all over, and I'm glad it is; but I sha' n't bother about a pardon."

This gentleman thought that the negro, poor devil, was fated to disappear; that slavery, if it had oppressed him, had at the same time protected him; give the negro political and social equality, that would make no difference; being left to stand or fall alone in a competitive struggle for life with a superior race, he would be sure to perish; a system bad for the individual negro had been the preservation of the negro race in America; philanthropists, with their schemes for elevating the man, would find they had exterminated the species. A troublesome question would, at any rate, be removed from American politics.

REIDVILLE, N. C., September 6, 1865.

"A right smart o' fixins at the railroad thar," was the encouraging description of this place given me by a man who declined to give me a night's lodging, and, moreover, it is laid down on my map of the Southern States, so I was expecting to see twenty or thirty houses and a tavern; but I rode some hundreds of yards beyond the village, and only on enquiry discovered that I had gone through it. Two cars on the railroad, a small way-station, and a store where liquor is sold, is all I could find of Reidville. But going further on my way was a house at which travellers are entertained, and at which I stay for the night.

I have travelled to-day no more than twenty-five miles, having ridden slowly and stopped often by the way to talk with the people. The country is the poorest I have yet seen, with crops that seem less abundant and healthy than those further north, and with less timber. But the road lies along a high and unproductive ridge, so dry that, during the whole day, I have found no brook or spring, and the good land, I am told, is by the side of the creeks and the Dan River. Large plantations were very few, and the greater number of houses had around them no negro quarters at all, while others had two or three cabins, which, in many cases, were but little inferior to that occupied by the white family. A large part of the population of the counties of Caswell and Rockingham, I was assured, were "them triffin' people," of whom many were Unionists. The avowal of their sentiments, however, they never attempted, though I am told that such persons were well known to each other, and, during the war, formed secret societies for mutual protection of members, by sharing information and aiding each other's families when it became necessary for the men to flee from the rebel conscripting-officers, or to go away into military service. All the people with whom I have talked profess to have been secessionists. I should think that the majority of the people in these counties belong to the class of small farmers. From the high ground I could often get a view of the country for several miles around, and everywhere was repeated the unvarying scene with which the roadside had made me familiar—rolling ground covered with forest, a d here and there,

at long intervals, a clearing of one or two hundred acres. Corn, ill-tended, and apparently richer in leaf than in ear, was the chief crop. The blades, in great quantities, were burning up on the stalk. I tried at two plantations to get a feed for my horse at noon, but could not, and I was told this evening that the people most generally were too busy with tobacco to pay much attention to saving fodder. But this year it must be from the force of habit that fodder is spoiling, for I saw only one field of tobacco, and that contained less than two acres.

A third attempt to procure a feed was more successful. The niggers could let me have some, and I could leave fifty cents to pay for it, the farmer said. He was just going down the road a piece, to the church; they were having a "protracted" meeting, and he had been aiming to go for two or three days. So he drove off; and, while the horse ate his chopped oats, I sat in the house-porch talking with his wife, a very fat woman, who laughed continually.

Her husband was a carpenter by trade, she said, but he owned a hundred and thirty acres and farmed as well. He used to raise tobacco right smart; but for three or four years he'd only made corn. She was proper glad to get back to flour again; she told her husband her teeth were done gone chawin' corn-bread, and she reckoned 't was the corn-meal made the children's throats sore, scratchin' as it went down. She was thankful peace had come. Their land would n't bring tobacco without guano. Her husband intended to put in a good crop next year, and she reckoned he'd peddle it out in South Carolina. He'd go thar now if he had n't sold his tobacco, for it was reported that there was a right smart o' specie in South Carolina, though Sherman did go through.

No, she reckoned he would n't do much with his own niggers. He'd always be able to hire some in the neighborhood when work pressed, and he intended to keep only two of his men with him. And some of the young white men had been talking about hiring themselves out to him; but he did n't know, he was thinking about it. He'd sent off two families, and there was another woman, with five children, that had got to go next week, for her keep cost more than her labor would ever pay for. The woman wanted to stay; so did all their niggers; but 't was no use; her children were all small but one, and that one had a dreadful har lip, so she could n't talk plain, and Mr. L. told her she and her train must start at once, for he could n't keep her. She reckoned if all the niggers had been sent right away from home immediately after the surrender, they'd ha' found out by this what freedom was like, and they'd ha' been all glad enough to get back with their masters and stay. But they listened to what the Yankees told 'em. This same woman she was speakin' of said to her husband, when he told her to leave, that it seemed like it was mighty hard; she'd been made free, and it did appear as if thar must be something more comin'; the Yankees would n't never leave her so. That was the way with 'em all; but they'd find their mistake. There was a man up there a piece that had gone to Washington city with some of the Yankee soldiers, and he come back a while ago. He told how the niggers was treated thar. He said there was a law so that if a nigger stole five dollars' worth he was put in the penitentiary for five years, and if he stole ten dollars' worth he was put in for life, and if he stole anything over ten dollars he must be hung. There was another law that no nigger should have water to drink without paying for it. That, she thought, was too hard; niggers never was treated so cruel down here; water was free to everybody.

It was dusk when I reached this house, which appears to be the residence of a farmer of the better class, and supper was already on the table. The meal consisted of butter-milk, corn-bread, and cold boiled bacon, with peas, and was eaten in complete silence, by the light of a brownish tallow candle. In the evening, sitting in front of the house, the farmer's brother became more talkative, and related to me his experience of life in a Federal military prison. Being asked for news, I said that I believed they were busy in Washington trying Captain Wirtz, the Andersonville jailer.

"I wish they'd let us try the fellows that were jailers at Elmira," said the young man; "they'd get a cussed short trial, and a grape-vine would be the end on 't. 'T would n't last no ten days."

"Were you confined there? How did they treat you?"

"Treated me mighty bad. I was a prisoner for thirteen months. The Yankees took me at Spottsylvania, and first they sent me to Point Lookout. I was used pretty well thar, but by and-by they moved us up to Elmira. That was in August, and I never got home till last June; so you see I know what a Yankee prison was. We never treated them any worse than we was treated. There was forty-two men taken when I was, all out of our company, and there never was but fourteen came back home; so you may know. They killed twenty-eight out o' forty-two, and they tried to kill us all."

"Were any of them wounded?"



"Wounded? No. 'T was bad food, and usin' 'em hard. The durned weather was enough to kill anybody; the awfulest cold I ever felt. They kept us in tents till a'most Christmas time, and we was about froze to death. Lots of the men had their feet and hands frost-bit, and had to have them cut off. When they did put up quarters for us, they did n't put up half enough. They built great long houses, each one to hold two hundred men, and they only put in one stove at the end of one. Of course we could not keep warm, nor begin to. They did n't mean we should; for they gave us a little bit of wood that would n't make ten men comfortable."

"How were the rations? What did they give you?"

"They'd knock down some old cows at the kitchen, and cut 'em up there and then, and fling the meat right so, without washing or anything, into the kettles, and never put in a grain o' salt. That was just their cussed meanness, because they had a plenty. When the meat was boiled, it did n't taste like beef, you know; it tasted of the cow, and heaps of our men could n't get it down easy anyhow. But they used to cut up the whole of it—the allowance for all the prisoners—and throw the lumps into heaps—great high piles they was—and by the time they'd stand over night the meat would be sour. 'Twasn't good not once in ten times. They gave each man a little small rasher; no account anyhow. We was just half starved."

"Were the men ill-used in other ways?"

"Why, they'd punish us for nothing at all. Every time a commissioned officer came into any room, every prisoner had to jump up and take off his hat and keep standin' till the blasted Yankee was gone. If he did n't, they'd put a barrel-shirt on him. They need n't talk; I know what a Yankee prison is. But I tell you what was the meanest of the mean, worse than the Yankees—them fellows that made application to take the oath. They wanted to take it as soon as they was captured, but they would n't go into the Yankee army, and they would n't let 'em. But they used to sneak 'round, and lie, and inform on our boys—about tunnelling, you know, and them things. I'd like to come across some o' them fellows now; one in particular."

"You had to take the oath of allegiance, had n't you, before you came away?"

"Took something. Ha'n't done nothin' but take oaths lately. Have to take an oath for everything I do. What 'll you do with me if I do n't take it? says I; keep me yer for ever? They'd find something to do with me, they said. I wanted to get home; General Lee had surrendered, yer know; and I concluded I would n't let their durned oath stop me, but I'd cuss along with the rest. So I took it and came on home. Do n't reckon that's much."

GREENSBORO, N. C., Sept. 7, 1865.

To-day's ride has been pleasanter than yesterday's, though, on account of my having lost my way, it was a little longer. It has lain through a better country, watered by several streams, and containing more bottom-land. The general features of the landscape have reminded me as much of South Carolina as of Virginia. The surface begins to be more level; among the timber there are more gums and pines; the road often runs among stumps and close past the stems of the forest; tall, dead trunks, girdled when the land was cleared, stand thick together, bleaching in the cultivated fields; the dark-colored loam has not wholly disappeared, but often the soil is light and sandy; in the low grounds the trees may be seen rising out of black pools of stagnant water, and in such places the cardinal-flower forces itself upon the eye, and I noticed the livid passion-flower; lizards are frequent in the hot sand; I saw, too, flying among the leaves, a small bird, red as blood, which is common further south.

To-day I had an interesting conversation with a man who belongs to what, as I suppose, must be a new class in the South—the class of negro lessees of land. He had been a slave all his life, he said, and was now "a settled man" (he appeared to be forty-three or four), but he was going to strike out for himself and see what he could do in a state of freedom. He had already rented some land, and that he thought was what every colored man ought to do, if he could. Perhaps only a few would be able to do it at present, because the masters were opposed to it; wanted to keep the people in such a condition that they could be hired as laborers at low wages, and preferred to let a "no-account white man" have a plantation rather than rent it to negroes. His former master and the gentlemen living in the neighborhood refused to lease out land to him. But a few miles away from home he had been more successful. The owner had selected certain parts of his plantation, and told him to take up as many acres as he could properly care for and cultivate. The land was not good, most of it being "old field," but if he could make enough this first year to feed his family, he would be content. He had bought a condemned horse from the Government corral for fifteen

dollars; he was low in order, but would be fit to plough next month. His wife had been knocking about the house most of her life; but he could depend upon her assistance if the work got too hard for him, and he had two children big enough to do full work in the field. Both were good ploughmen, and when his own crop did not call for their labor he could hire them out to the farmers, and he also could do hauling for his neighbors, and thus pick up a little ready money. If God spared his life, he expected to have twenty acres of corn, eight acres of wheat, five acres of oats, and some potatoes on his land. His landlord was to receive one-third of all the corn raised.

This year he had been working for his old master, who had promised to give his hands such a portion of the crops they made as should be pronounced equitable by two white men whom he designated. The apportionment had not yet been made. On most of the plantations of which he had any knowledge the workmen received some part of the crop in payment for their labor, and, as a rule, the masters were endeavoring to hire them for the coming year at the same price—their board, namely, and so many bushels of corn.

This man said that he knew it to be still usual on some of the plantations to beat the negroes for any offence; and that especially is this the case in the country districts. Negroes living in the vicinity of Greensboro' could complain to the soldiers, but twenty or thirty miles out they were without redress.

He was very anxious that schools should be established. A while ago some of the colored people had spoken to a white man who lived near, a poor man, but "with good learning," asking him to open a school, which he had promised to do. But he did not like to begin without having first obtained the consent of the gentlemen in the neighborhood; so he called on five or six of them and made known his intention, but he was told that if he tried that game he would be shot in his school-room; he therefore desisted. The gentlemen who told the man so were just the kind of men that would have done it, too; but the Yankees would set up schools, he hoped.

At Greensboro' I made some enquiries with the object of finding out if the statements of this negro about ill-usage of laborers on the plantations were true.

There is in the town an agent of the Freedmen's Bureau. Like the rest of its agents whom I have seen, he is an overworked officer. He has supervision of seven counties, and has subordinates in but one of them, for police duty in the country is left to the home guard of each county, and consequently there are no Federal garrisons from which the superintendent might draw assistance. A negro who seeks redress for a real or imaginary injury must travel perhaps ten, perhaps fifty, miles and lay his complaint before the superintendent in Greensboro', or he must lay it before the home guard, with what likelihood of getting justice may be guessed from the fact that the captain of the guard in one of the counties was much surprised and little pleased to learn, the other day, that he had no right to whip negroes whose masters found fault with them. It is needless to say that the negro chooses the former alternative, and, when he decides to complain at all, he complains at Greensboro'. Having heard the fifty or sixty complaints of every day, the superintendent may consider the possibilities of summoning witnesses and all the other circumstances of the case, and may investigate it if he thinks best and can find time. His office, it will be seen, is not a sinecure. It would be speaking more accurately to say that no one man can perform its duties, and that most men, finding themselves able to do so little where so much calls loudly to be done, could but become disheartened by the difficulties of the position.

The officer at Greensboro' has been in the service of the Bureau only ten days. Within that time two cases of negro shooting had been brought to his notice; in one of which the man had been crippled, in the other only slightly wounded. He would not say that the sufferer in either case had been absolutely blameless, for he did not wish to prejudge the matter; but whatever the offence, he thought some less deadly instrument of punishment might have been employed. "The fact is," he continued, "it's the first notion with a great many of these people, if a negro says anything or does anything that they do n't like, to take a gun and put a bullet into him, or a charge of shot. But this gentleman knows more about it than I do; he was provost-marshal of Salisbury down here." The officer had held that office, he said, from the 19th of July until the 6th of August, and in that space of time had arrested and held under guard four persons charged with shooting down negroes. Of the four negroes but one survived. Cases of assault, both gentlemen said, are very numerous, and almost always without sufficient cause. No day passed without several complaints being made. "Here's a case now," said the superintendent; "I gave this woman an order on her former master for some clothes belonging to her which he withheld

She took it out to him, he read it and it did n't please him, so he knocked the woman down. He only lives eight or ten miles out, and I'm going to try and get a guard so as to have him arrested to-morrow and brought in. I suppose he'll be raging when he finds that negro testimony is to be used against him, like a man I had here yesterday. We convicted him on what the negroes swore to, and he *was* mad. He said a good deal; among other things says he, 'If this war ain't done, let us know it, and we can begin over.' 'Exactly,' says I; 'it was done too soon here by three months, I always thought, and a good many thought so as well as I after the assassination.'"

He found a good many men who appeared honestly anxious to treat their negroes kindly, and there were a very few who even interested themselves in schemes for educating the blacks; but it was his opinion, based upon what he had seen while in the army, and confirmed by his experience as superintendent, that the withdrawal of the Federal troops would be the signal for a reign of violence and oppression. From all he could learn, many of the people did not believe the negroes were legally free, and would not accept the new order of things. The State convention would probably declare slavery dead; but a good many county conventions, if they could speak, would declare that it was not, and in some parts of the State the negro would see a good deal of trouble.

#### ENGLAND.

LONDON, August 30.

For about the twentieth time within the last ten years we are celebrating once more the *entente cordiale* between France and England. Our fleet has been to Brest and Cherbourg, and now the French iron-clads are paying their return visit to Portsmouth, and the *Warrior* and *La Gloire* are anchored side by side together, in the waters of the Solent. So, as usual under such circumstances, we are engaged in singing paeans over the Anglo-French alliance, and in protesting that we have forsworn the foolish enmities of bygone times, and love each other all the better because we quarrelled and fought in bygone days, and have quite abandoned all idea of ever quarrelling again. Indeed, the *Times* yesterday, in a sudden excess of Gallo-mania, made the notable discovery that we were more akin to the French in race and language than to any other nation in the Old World or the New. Putting aside any nonsense of this kind, there is no doubt that the political alliance between France and England is stronger than it ever has been in the memory of living men. The support of this country is of great service to the Napoleon dynasty; on the other hand, the alliance of France relieves us from any anxiety as to our continental relations. Then, too, the Emperor himself is personally very popular on this side the channel, whatever he may be on the other. Moreover, Mr. Gladstone's treaty of commerce has created very numerous commercial interests, which tend to promote good feeling between the two nations. And, since the Crimean war, the old-fashioned jealousy of France has ceased to become an article of political faith. But when I have said this, I have said about everything. Calais is now only ninety minutes from Dover, and you can breakfast in your club in London and dine on the Boulevards on the same day. But, in spite of this, the two countries are very nearly as far apart in moral distance as they were in the days when steam engines and telegraphs were unknown. We have got rid of the superstition that frogs are the normal diet of—what provincial newspapers delight to describe—as “our lively neighbors;” and they, in their turn, no longer believe that we sell our wives at Smithfield. But it is almost impossible for us really to understand each other. I have known Englishmen who could speak many foreign languages perfectly; but I never knew an Englishman who could speak French, or a Frenchman who could speak English, in such a way that their nationality could not be at once detected. My belief is that the same vocal organs cannot pronounce the French and the English accents. And what is true of pronunciation is true of mental appreciation. Our virtues and our vices are not theirs; and the code, moral, political, and social, by which we judge of anything, is not only fundamentally different, but absolutely antagonistic. We can be—and I hope we long shall be—cordial acquaintances; but we never can be intimate friends, at any rate not for generations to come. Our sailors were most gracefully received at Cherbourg, and the French fleet will be welcomed heartily at Portsmouth. But there the matter will end; and the toasts and compliments uttered at these international visits, as they are somewhat pompously designated, will produce about as lasting an effect as the champagne with which they are seasoned. However, this interchange of courtesies does no harm, if it does no very permanent good; and the presence of the allied fleets at Spithead will certainly give Londoners who are unfortunate enough to be detained in London a good excuse for running down

to see one of those marine spectacles which all true Englishmen love so dearly. With regard to the comparative excellence of the two fleets, it is difficult to learn much from the reports of those who visited them at Cherbourg. The general impression of English sailors I have met is that the French iron-clads could not stand against our own; but then, if the French ships were built of adamant, and ours of tinfoil, the impression would, I am sure, be the same. Right or wrong, we cannot believe that Frenchmen can ever work a ship as well as we can. I recollect at the time when the French and English fleets were anchored in the Bay of Naples, during the Garibaldian dictatorship, the captain of an American man-of-war was asked what he thought of the comparative merits of *La Bretagne* and the *Agamemnon*, the two crack ships of the rival squadrons. His answer was that “the former was the better ship of the two; but that if it came to fighting, he would give the *Agamemnon* five minutes to sink her.” The speech was probably intended simply as a compliment; but I remember all the English officers who repeated it to me declared that, though they should not have liked to say so themselves, this was exactly their own opinion. And, as this is the general feeling of the British navy, I much doubt whether we are likely to learn much from the inspection of the Imperial squadron. However, while the fleet is at Portsmouth, I trust to see it myself, and shall then be able to tell you anything which strikes an unprofessional observer.

None of the royal family will, I believe, be present at the spectacle, as they are all engaged in attending a sort of family party at Coburg. The Queen had set immense store on every connection of the late Prince Consort being present at the uncovering of his monument in his native town. The little German Residenz-Stadt has, in consequence, been filled for the last week with all the hundred grand-dukes, land-grafs, princes, and excellencies who claim kinship with the ubiquitous Coburg family. If the reports are to be believed, they all tried to look exceedingly impressed when the bust of the departed Prince was uncovered, and they all hung garlands of *immortelles* about the monument with becoming solemnity. Altogether, the whole narrative of the proceedings is very German, and shows the German character of the reigning family too much to be altogether palatable to our English taste. The plain truth is that our public is getting very tired of this Albertolatry. The memory of Albert the Good is becoming as wearisome to us as the reputation of Aristides the Just was to the Athenians. At the time of his death there was a very deep and very genuine sympathy felt throughout the nation at the loss the Queen had sustained. As we were conscious we never had much liked the dead Prince while he was with us, we made up for our error by lauding him to the skies when he was gone; and, to judge from the utterances of our popular papers, you would suppose the Queen's husband had been the best beloved man in all England. Our fit of repentant enthusiasm was not very long-lived, and long after the sensation had died away we were deluged with odes, addresses, memorials, and so on, to the memory of the Prince, till we have grown weary of hearing his name mentioned. If there is moderation, according to our English proverb, in roasting of eggs, there is surely moderation also in putting up memorials. Very nearly four years have passed since Prince Albert was removed to a better world, and yet we are still expected to be sentimental about his death. Moreover, considerable annoyance is felt at the continued seclusion of the Queen. It may be very foolish of us, in the opinion of republicans, to care about the pomp and show of a court, but common people do care a great deal; and as we pay very dearly for the expense of keeping up royalty, we like to get our money's worth for our money. In itself, the whole matter is of very little importance for the present: Lord Palmerston is personally extremely popular, and the Government of the country would go on exactly the same whether the Queen lives in the Highlands or in London. But if, as is quite possible, a period of political trouble should succeed the close of the present administration, and any question should arise in which the wishes of the sovereign were thought to be at variance with the opinions of the country or of any large political party, the decay in the personal attachment of the people for the Queen, caused by her long absence from the public scene, will be an element worth considering in the aspect of affairs.

I dwell on this circumstance because many persons believe that we have got a hard time coming. A very large portion of the harvest is still not got in, owing to the late rains, and the fluctuations in the price of wheat at Mark Lane show that there exists a very general uneasiness as to the yield of the crops. As far as I can gather, there is no reason yet to despair of our having an average return. Up to the beginning of this month the harvest was expected to be an unusually fine one; and it seems doubtful whether the rain has inflicted any damage corresponding to the unusual quantity of ears upon the stalks. If we could have three weeks of dry weather we should be



assured of a good supply of corn, and in consequence of cheap bread for the winter. But the weather still remains terribly unsettled. Be the crop what it may, we cannot doubt that the price of meat will be unusually high. The "Rinderpest," as we call the new cattle murrain, is not spreading so rapidly as we saw cause to fear at first, but it is undoubtedly gaining ground. In every part of the country voluntary associations are being formed amidst the farmers and graziers to arrest the progress of the pestilence. The common idea is that the disease is propagated by contact, and that if one beast in a herd is affected he infects all the others. According to this theory, the one remedy to check the epidemic is to kill at once any ox or cow which manifests any symptoms of the malady. As, however, it can hardly be expected that a cattle-owner will destroy on suspicion animals whose value varies on an average from £10 to £20, these voluntary associations have been formed to indemnify the individual sufferer at the common expense. Any member of these associations who can prove that he sacrificed animals supposed to be infected, is repaid two thirds of their cost price at the expense of his brother members. The rapidity with which these societies for mutual insurance have been got up in every cattle-breeding county shows how very much the agricultural class has increased in intelligence within the last few years. In the days of the old protective corn-laws any organized co-operation of this kind between farmers would have been simply impossible. If the agricultural interest had been as powerful politically as it was formerly, the wish of our farmers would have been acceded to, and our ports would have been closed against the introduction of foreign cattle. As, however, fully one-half our meat is imported from abroad, and as the consumers of beef and mutton are far more numerous than the home producers of these articles, the Government have refused to listen to the solicitations of English cattle-breeders, and have contented themselves with issuing stringent regulations for the inspection of all cargoes of foreign cattle which enter our ports. Medical authorities, as usual, disagree on the nature of the "Rinderpest." According to one school of veterinary experts it is an indigenous disease, not an imported one; and is due to local and atmospheric causes, not to contagious influences. This view naturally enough finds no favor with agriculturists.

Indeed, in Ireland the pressure exerted upon the Government has been so strong that it has had to recede somewhat ignominiously from its formal decision. When the disease first declared itself in England, a deputation from the sister kingdom waited on Sir George Grey, to request that the importation of cattle into Ireland might be forbidden for the time. The Home Secretary, who has a fatal talent for occupying untenable positions, declared at once that such a system of quarantine was known to be ineffective by all past experience; that no precedent existed for the remedy suggested; that it was contrary to the principles of our Government to make any distinction between different portions of the United Kingdom; and that the ministry had no legal power to accede to the request. All these arguments were sound enough in themselves, but they failed to convince the petitioners. Meetings were held throughout all Ireland, attended by men of every shade of religion and politics; and an intimation was conveyed to Lord Palmerston that even the Irish ministerial members would not support his Government if he incurred the unpopularity of refusing the demanded ukase. The Premier, who has no notion of sacrificing his power for the sake of any abstract principle under the sun, reconsidered the subject; and after very brief deliberation an order in council was issued closing the Irish ports against cattle imported from England. In the particular case at issue, I sympathize with the Irish malcontents. The export trade in cattle may be said now to be the chief resource of Irish landowners; and with the exception of a few thousand black cattle imported annually from the West Highlands of Scotland, there is no importation of beasts from Great Britain into Ireland. If the "Rinderpest" can be prevented from crossing St. George's Channel, it will be an immense boon to the whole of the United Kingdom; and, though the evidence with regard to the contagious character of the malady is conflicting, it is well worth while trying whether the exclusion of English cattle will not stop the spread of the epidemic west of our own coasts. The unpleasant feature in the matter is the fact that this act of justice to Ireland was extorted by a sectional agitation. At the meeting held at Dublin, the language of the speakers, representing, as they did, all sections of the island, was violent in the extreme. Even Lord Naas, the Tory member for an English borough, and formerly Under Secretary for Ireland beneath Lord Derby's administration, declared openly that if the Government showed such a disregard to Irish interests as to refuse the requested prohibition, it would behoove Irishmen to consider whether the union ought to be maintained. And the other speakers followed in the same line with far less reticence. If the Irish could only combine generally as they did on this occasion, they might exert an almost irresistible pressure on any English

ministry. Happily, however, for us, and perhaps for them, it is only a subject such as the cattle plague, into which religious and political partizanship cannot well be introduced, on which united action is possible. There can be no question that every party in Ireland, Protestant as well as Catholic, Whig and Tory, Saxon and Celtic, believes that the country suffers to some extent from its incorporation with Great Britain. But each party prefers the imperial rule to that of the rival faction at home; and it is difficult to imagine how any common repeal platform would ever be adopted by the different sections. If this should ever come to pass, we shall possibly have trouble in Ireland, but we shall not have repeal. Whatever else we may do, we shall never tolerate any secession from our Union. Circumstances, we all know, alter principles.

However, I have wandered a good way from the "Rinderpest;" and have only to say about it farther, that alarmists declare it to be the forerunner of the cholera, whose approach is beginning to create considerable alarm. There can, I fear, be very little question that we shall be visited with this epidemic before long. But as our hot season is nearly over, it is not so much to be dreaded.

### SUNBATHS.

SOME time ago it was stated in print that Dr. Dio Lewis had assumed the editorship of a comic paper. Whether the report was prompted by something ludicrous in the doctor's first name, reminding one as it does of an irreverent abbreviation, fashionable in our younger days; whether it was started on the same principle that Sheridan gave Wilberforce's name when picked up drunk in the gutter, and Halleck called John Targee a nightingale; or whether, like some other items, it had its birth in the stupidity of the item-maker, without any reason good or bad, we are unable to say; but Dr. Lewis took the soft impeachment sufficiently in earnest to give it formal contradiction. Rather prematurely, perhaps; for he has recently contributed to a very interesting and excellent children's magazine an article which must have been intended for *Mrs. Grundy*. It is entitled "Sunbaths," and relates how he induced a pale and sickly child to run about in the garden naked, or only clothed as to her head (to borrow a classic idiom) with a turban of wet towels. He persuaded the child and parent to this course by covering up a rose-bush with clothes and showing them that this sort of treatment did not agree with the bush.

The remarkably close analogy between our daily habits of life and those of plants, and the almost identical nature of our nutriment, doubtless suggested to the doctor his convincing illustration. Popular metaphor may also have confirmed his choice. We hear persons whose talents are rather of the solid than the brilliant order familiarly spoken of as "cabbage heads," and people have talked of cultivating their parents' memory ever since the time of Cicero; indeed, that great orator pertinently applied the phrase to a frugal Roman who was raising esculents on his father's grave. But we must hint to Dr. Lewis that metaphor is very misleading if accepted literally. It takes great liberties with all three kingdoms of nature. The editor who calls his personal or political opponent a jackass does not suppose him to be a veritable quadruped. The lover who, in amatory hyperbole, addresses his lady-love as his jewel, does not wish to "polish her off" or to lock her up. The Arab chief who apostrophized his mare, "my pearl," had no intention of boring a hole through the animal. And then the doctor forgets that his analogy is, after all, very incomplete; for, though we do not dress our flowers, we do dress most of our vegetables.

The greatly abbreviated costume which Dr. Lewis recommends, though startling at first, is not altogether without precedent. Everybody knows (by reputation) the Georgia toilette, and we once heard of a Cantab who improved on it by arraying himself in a full suit of studs. Still more Dio-Lewisian was the array of an African swell, mentioned by Dr. Livingstone. The missionary during his travels fell in with a tribe who have a singular order of merit, the members of which are distinguished by wearing—nothing. "One of the chiefs," he says, "called on me in his full official costume, consisting of a tobacco pipe." It must be confessed, however, that these practices are, on the whole, more usual in savage than in civilized life. Some Europeans, indeed, are in the habit of taking *airbaths*, which may be defined as the in-door equivalent of Dr. Lewis's sunbath. The *Fliegende Blätter*, in detailing with pen and pencil the adventures of young Baron Beisele and his bear-leader, the Professor Eisele, graphically illustrates the uninhabited appearance of Munich. On the morning of their arrival the Herrs Eisele and Beisele take their airbath in the street without molestation. But the German artist hesitated to carry out the idea in its naked simplicity. The professor and his pupil are depicted as retaining their shirts and boots.

Here it may be urged that we are treating Dr. Lewis unfairly, as his sur-

baths are only recommended for children. But surely, to use his own analogy, his rose-tree would not bear dressing after it was full-grown. There are quite as many pale and sickly adults as children. Perhaps, however, his intention is thus to take the sharp edge off the novelty and introduce it by degrees. And certainly it upsets our ideas of the fitness of things sufficiently to imagine a number of garden enclosures (like loose horse-boxes without roofs) and "undraped" infants disporting in them. We fear that in most parts of the country the mosquitoes would interfere with the success of the experiment during the likeliest months of the year. Seriously, this is but another exemplification of the way in which the best principles are continually ridden to death. Men eat too much meat in warm weather—therefore all animal food is to be suppressed; or they do not take baths enough in cold weather—therefore all human infirmities are to be washed away with water. Dr. Lewis strikes upon a very good idea, that the studies of most children, and the occupations of most adults, have a tendency to keep them too much out of the air and light; therefore he would strip them to the glare of noon. So *sun-struck* is he that he will not allow any shade trees about a house, or let man, woman, or child sleep in a room sheltered by a portico. We do not occupy our bed-rooms during the sun-shining portion of the twenty-four hours, but much the reverse; and what is the sun to do by occupying them in our absence, except make them uncomfortably hot during the warm season? As to the notion that a chamber with the proper allowance of windows cannot be adequately ventilated unless the sun shines through it, we must own our inability to discern it. Fortunately, Dr. Lewis has said and done so much good that we can indulge him in a little rubbish, especially when it is amusing.

### PITHOLE.

TAKING a car on the Atlantic and Great Western Road at Corry, after about an hour I fall into a snooze, when bump go the cars, the conductor of the train pokes his head in at the door. "Break in the road," he remarks: "you will pass the night here." At this laconic and interesting speech every one turns over and goes to sleep without a word. Very early indeed the next morning we awake, and I survey the party. There are two youth whose black coats, springing step, and innocent smile show them gentlemen and divinity students. They soon after stop at Meadville. The rest of the party are a yellow and melancholy race—then new to me, soon after well-known—operators and speculators in oil. At first, from a close resemblance to dried salt fish, I took them to be an extreme species from my native New England. But I soon found out my mistake. Pennsylvania claimed the honor of their birth.

An exception was an excellent old gentleman, nearly eighty, the president of some company, who had gone to look after its interests. Though somewhat tired by lying awake all night, the moment oil was touched upon his tongue was loosened, and he poured forth a stream of anecdote, theory, and description, which was very edifying.

Taking a horse the next morning, I climbed the hill that from the east overlooks the city and the creek. Unless one dipped his pen in mud, who could describe that filthiest of cities? The town chiefly consists of one long street, wedged in between the cliff and the river, crowded with shops, looking like a bisected peddler's cart indefinitely prolonged. Cologne is a savory city by comparison, and New York seems of virgin cleanliness. The inhabitants resemble the lower class of scarecrows under the influence of a powerful galvanic battery.

After a long look at this sewer of cities, and the countless derricks between the city and the hill, I again turned my nose—prophetic organ—towards the east and the new reigning beauty of Oil-dom, euphonious Pithole.

The road winds up and down the hills that fill the water-shed of the Alleghany, and affords many beautiful views. On either side rise well-wooded hills in graceful curves from the little streams which flow through their valleys. One does not generally associate the oil regions with the haunt of the muses, yet if the muses had been disposed to take up their abode in this Western World, I know of no more appropriate place for them than the hills and valleys of the Alleghany before man laid his greedy finger on the fair face of nature.

Everywhere, conspicuous among the trees, you see the derricks of the oil wells, like steeples of the great temple of Mammon, at which all worship. Derricks, indeed, you see everywhere—in the valleys, on the hill-sides, on the tops of hills—with their engines attached, about one in fifty of which is running. Millions upon millions of dollars have been sunk all through this region in the purchase of worthless land at oil-land prices. How any imagination could suppose that oil would be produced from most of the land, I

am at a loss to divine. It is well known, however, that with no class of men is the imagination so potent as with our solid business men. One searches for the wildest flights of fancy, not in a Collins or a Shelley, but in these and similar ventures by grave practical men, who would scoff at the word imagination, to whose power they are unwittingly the best witnesses.

Now and then you come upon a town of plain, unpainted boards "in looped and windowed raggedness"—and everywhere along the road you find hotels, so called, and dubious refreshment saloons, at which is sold under various names the ubiquitous whiskey.

After a few hours' ride I reached the city of Pithole. Pithole lies in the centre of the oil regions, about ten miles from Oil City and five from the Alleghany River. It covers a low hill which rises from the west bank of Pithole Creek, and will soon cover the hill rising from the opposite bank. Pithole Creek is a contemptible little stream, a few yards in width, emptying into the Alleghany a few miles below. The town has now several hundred buildings and some ten thousand inhabitants, and is probably worth fifty millions of dollars. A few months ago it consisted of half a dozen old farm-houses, fifty inhabitants, and would have been valued at, perhaps, fifty thousand dollars.

The town has the usual appearance of towns in this region, and is a gigantic city of "shreds and patches." Most of the buildings are built on land leased for three years. Passing up the street, you see on either side shops and hotels, each laying a different claim to fashion. One is painted, another has a splendid sign, another has its rooms papered. Every other shop is a liquor saloon. It is safe to assert that there is more vile liquor drunk in this town than in any other of its size in the world. Indeed, a bar is almost the invariable appendage to every building. Lawyers have bars appurtenant to their offices—each hotel, dwelling-house, or shop has its separate bar.

You pass crowds of persons, in an excited state, hurrying to and fro—most of them with haggard faces, old clothes, and trousers stuck in their boots—of that fishy, scarecrow race, specimens of which I had met in the cars. You pass many familiar names—"stat magni nominis umbra"—the St. Nicholas, the Fifth Avenue, the Metropolitan, and the like. After a ride of a quarter of a mile you reach the famous United States well, and a strange sight it is. Forth there rushes a stream of oil as large as your arm, with constant gushes of gas. Day and night this stream is vomited forth with unabated force. Scarcely less prolific are the neighboring "Twin Wells." Here we have in these little streams the source of this seething city, with its fierce, mad energy. Wonderful sight! Gazing at these streams men go mad. The oil-fever fires their brains. They contract an eager gaze, tuck their trousers in their boots, and wander up and down the creek in search of interests in wells to purchase. Then the artful brokers desecrate, and one fortunate angler draws his victim to a safe nook and tempts him with the "best and cheapest" interest on the creek, "indications wonderfully good," etc. The broker pockets his commission, and the victim is very apt to twice quadruple his investment in a short time, so he is not, perhaps, so much to be pitied.

Next to the oil wells themselves the most characteristic phenomena of the place are the countless teamsters who there congregate. Those who are acquainted with that imperturbable *tertium quid* of humanity, the army teamster, have no difficulty in recognizing him in Pithole. With dark face, shaggy beard, and slouched hat, and trousers tucked into his boots, he sits immovable on his stout team. On every proper occasion he damns his horses with a volubility and versatility of profanity which almost show a divine gift. To other except these equine emotions he is inaccessible. The team jolts on over rocks and trees, down mud-holes, out of mud-holes, down ruts—after a fashion to reduce an ordinary man to a gelatinous mass. From him it merely spills out an oath or two. Out goes a barrel, over goes the team—he tips it back, scarcely leaving his seat.

Sauntering up the street past teams, land offices, fallen trees, incipient or finished shanties, and groups of men in earnest debate about land or oil, I soon reach the centre of the town. Whom should I behold but the "fat woman" and the "fat boy?" O unctuous sight! in this lean and hungry land to meet a buxom young maiden of eight hundred pounds. How she was brought over these roads without being reduced to a skeleton, how she held her own against the water and the food, must for ever remain awful mysteries. No one but a Grant of a showman could have piloted her with her complement of pounds to Pithole by any line of which I have heard.

The United States Hotel, like all the rest, is built of planed boards, unpainted, very loosely put together. Adjacent is a tent with some fifty cots, well filled every night, and fragrant from proximity to the horse stalls. The hotel must have cost some five thousand dollars. It rents, I believe, for thirty thousand a year, and the keeper must net three hundred dollars a day or more. The front of the house is covered with advertisements: three-sixteenths of such a well—mining tools for sale, engines, and the *etceteras* of incipient civilization.



In front of the building is a platform and a long bench. On this, through the day and evening, sit gloomy and dirty contortionists chewing the melancholy cud of speculation. Entering, you see other contortionists sitting in impossible attitudes. Surely Hogarth or Dickens must have had a hand in the creation of these men.

On the left you hear the telegraph ticking, and near it are men washing in a long sink. Beyond, tinkling glasses show that the versatile whiskey is transforming itself into brandy-smashes, gin cocktails, Tom-and-Jerrys, and other spirit-stirring potations. A person at Pithole is indeed placed between fire and water. To drink water is to drink a solution of salts. To drink whiskey is to drink poison. Every glass of water I took I forsook water, and every glass of whiskey, I forsook whiskey, and thus lived a life of zigzag perjury. I entered the dining room with the usual wild rush, and, seating myself by a rapid manœuvre, watched the rapidity of dining for which my countrymen have gained a cosmopolitan reputation.

I need not describe the dinner. Are not the works of our English friends on American government and society mostly taken up with a description of the American dinner and the use of the knife? Why persons profess to be so much shocked at the sight of a knife entering the mouth I cannot see. We pay large sums to see jugglers swallow swords. Why not enjoy similar exhibitions when free? For myself, I could see a knife protruding from a gentleman's boot without surprise or concern.

"Roast beef, roast lamb,  
Corned beef, boiled ham,"

chanted a somewhat slatternly muse in my ear. "All from the same joint," remarked an intelligent gentleman near me; "the animal must have worn motley. By the way," he continued, "speaking of motley, did you know the circus are going to give a benefit for the church to-morrow?" "Are they?" said I; "things seem somewhat mixed in this place. How long have you been here?" "Oh, I've been here for a couple of months. This is nothing to what it was at first. Then you had nothing to eat—sleep six in a bed. Things are quite luxurious now." "Were you here at the fire?" I asked. "Yes," said he, "I saw it. It was a magnificent sight. It blazed in one vast sheet of flame up to the sky. If it had spread a little, the whole place would have been burnt up. I think before long Pithole will be burnt up. It is all wood and oil, and no water near." "Concerted expectation would soon put out any fire here," I remarked. "Rather a curious thing happened here yesterday," he continued. "The keeper of one of the hotels here turned off a servant girl. She did n't like such treatment, and, taking a horse-whip, drove him out of his hotel down the street." "Business seems to be done in a queer way here," I remarked after a while. "Yes," he replied, "men spring to it. Almost every one here is sick, and yet a sick man here works as hard as three well men elsewhere. Pretty much everything is flat now, though, except just here. The peace and the flood coming together knocked everything over. Last winter you could make money hand over fist. People would buy anything at any price. There was an old fellow, I remember, up in the mountains, with a farm where he raised a few turnips; no more chance of striking oil than of striking greenbacks. They offered him half a million for it. But he was a shrewd man; he thought they could make something out of it, or else they would n't want to buy it; so it must be worth more. He kept the land, and now it's hardly worth ninepence." "He was a shrewd man," said I. "You hear such stories as this all the time up here," he added, "and they are, for the most part, true; the current facts are so much stranger than the stories most men can invent, that men here are under a strong temptation to tell the truth, except where their own interests are concerned." Early in the evening I went to bed. You have always an agreeable excitement in these places as to the character of your bed-fellow—whether he be a pickpocket or murderer, whether he be subject to *delirium tremens* or other foibles. Fortunate those who have one bed-fellow! Generally you have a countless number.

The next morning I arose early and walked out upon the platform. As I stood gazing at the clouds or mud, I was aware of a rusty old gentleman smelling around a pair of boots a young chap near me had on, as an old terrier would eye a rat. I asked "what was up," and found that said boots bore too close a resemblance to some boots the old gentleman had placed at the head of his bed the night before to be passed lightly by. He insisted on it that the boots were his. The present occupant of the boots, with that irreverence for age characteristic of American youth, requested his elder to take his journey into a far country. Perhaps he thought the journey from Pithole not so long nor arduous as from elsewhere. Let us hope so for the sake of good manners.

"You'd better not talk to me in that sort of way," said the old gentleman, with somewhat ruffled feelings. "I'm pretty well known in these

parts, I can tell you. I built the first hotel that was built in this county." This appeal to a hotel rather awed the youth and the rest of us, but he still showed no strong desire to part with his boots.

It is a curious fact that most men out here seem to look upon Eastern hotels as the islands of the blessed, and life there as the *summum bonum*. "I have left a luxurious home," said a very bright fellow to me, "in the East. I have been living in the first-class New York hotels, and I have come out here to rough it."

During the morning I made a call on some Canadians, the chief engineers of the county, and sitting in front of their office surveyed life in Pithole from a comfortable chair. In the foreground you see a huge mud-puddle, varying in depth from one to three feet; beyond, hotels, stores, and grog-shops; and further on, the creek, with its numerous derricks. Past this office Pithole life streams, pausing a few seconds in the mud-puddle. Here we have a gentleman in black of a serious, ministerial appearance. He was recently the owner of a "sweat-board," a singular gambling instrument, and, with others, flooded the town with counterfeit currency. After him come speculators and mechanics. "Do you see that poverty-stricken old man," says one of my friends, pointing to a broken-down, wretched mortal; "that man has just sold his farm for a quarter of a million." Here comes Mr. B., formerly keeper of a variety shop, now a broker and a Croesus, but not calculated "to witch the world with noble horsemanship." "Can you swim, Mr. B.?" I exclaim. "This is the Pithole Natatorium; no one should venture it who cannot swim." Mr. B., with ruffled dignity, dismounts, and leads his horse over a plank. Soon after the head of the circus passes by. What a magnificent carriage! with the proud step of the leaders of men. He carries an ivory-tipped cane, and wears a gold seal, such as I thought scarce six men could bear up under (such men as the earth now produces). "The other day," said my friend, "the circus drove through here. The drummer-boy was spilt out into the water. Out came the big drum on top of his head, and he picked himself up as best he might. Here comes a friend of mine, the dandy of Pithole. He wears a clean collar and has his boots blacked, and is the one man of fashion among ten thousand." And so the stream flows on.

The next day was Sunday, and I took a stroll into the beautiful fields near by. Every now and then you would come upon men lying under the trees, with a worn-out, haggard look. All of them seemed half sick, and yet all were ready to work with reckless zeal. Returning, I heard the crack of a pistol, and supposed some men were firing at a target. Soon after, however, on entering the hotel, I found a couple of men handcuffed, one of them shot through the leg. They had broken jail, and one of them had "squared off" at the constable on his arrest, upon which the constable had drawn his pistol and shot him through the leg. That same night a tragedy came near enacting. Notice was given the hotel-keeper of an attempt at robbery that night. He watched by the window with a loaded pistol. At about two he heard the soft tread of a man in moccasins. The thief drew near, opened the window, was about to enter, when he saw a pistol at his head, heard the false hammer strike, and was gone.

I remained in Pithole a fortnight, and became one of the oldest inhabitants of the place. During that time I learnt much of its social and business life. You find here, under the roughest clothes, some most excellent men—and, as a rule, the men are uncommonly intelligent. Every other man you meet is a soldier. The steadiest mechanics and workmen have most of them been privates, and have many wild tales to tell of battle and adventure. Most of the bar-keepers and hotel-keepers are captains or majors. Every now and then, in the neighboring country, you stumble on a man of education engaged in sinking a well. Many men of fashion, also, from leading the mazy dance and fascinating the hearts of maidens, have wandered off here into the forest in search of a fortune or a sensation. One must needs have a good conscience or a hopeful disposition thus to sit during the long months watching a little hole slowly sinking down to a great—per, haps.

Every one here is very courteous, and answer questions innumerable without complaint. You can see here, on a small scale, how commerce softens manners. Every one is desirous of making money out of every one else, than which nothing more promotes urbanity. It is simply ridiculous to suppose that the oil business is "played out," as persons like to say now-a-days. This single town produces over five thousand barrels of oil a day. Manual labor and investments in oil companies are the only things which do not pay well. All capital otherwise invested there doubles itself with wonderful rapidity. While I was there the town nearly doubled its build-ings and inhabitants. I will only add a description of my last night.

Hearing that the great hotel of the town was going to be christened, I

went to witness the ceremony. Drinks and billiards free—and a thousand thirsty men to enjoy them. Never before did I know how strong was the love of freedom in the human breast. A wild mass of teamsters, operators, workmen of every kind and costume, drank in the varied liquor of the generous host. I myself, in a private room, imbibed some capital sherry, and after staying a short time and proposing to myself the old question, whether a sponge or a Pitholean had the greater power of absorbing liquor, I took a walk to the centre of the town and took a long last look at Pithole by starlight. Seating myself on a pile of boards, which in a few days will be a hotel, church, or drinking saloon, I gaze around. In front a flickering torch lights up fantastically the thick jaws of the lord of the "fat woman." Windows and cracks equally pour forth streams of light, that with artistic chiaroscuro play over the swarth faces and strange forms of the passers by. There goes a gentleman with a quick step closely followed by two others. He has been trying to wheedle one of them out of an engine without paying for it, and they are on his trail. Here comes our friend the parson to collect subscriptions. After him reel two men somewhat overloaded with liquor. Everywhere there is a sound of revelry. Looking in at the windows, you see everywhere men playing cards, and drinking, as always. Beyond the stores on the left, in a small house, sleeps, after his death-agony, one of the victims of the fire. Down the hill on the right sits a vigilance committee in secret session to concert measures to prevent the daily robberies. Further down, the little streams of oil flow on incessantly. Unseen they move this complex machinery of men and things, with careless hand dealing out to their slaves life or death, wealth or poverty, triumph or despair.

The next morning I arose before the sun and walked to Oil City, and was soon turned towards the East and the glorious ocean, all of whose waters I hoped would be not unsuccessfully employed in restoring me to cleanliness. After being shaken a day and night I find myself on board a Sound steamer. How strange every thing looks! How clean New York looks! Never before or since did cleanliness seem a mark of that city. See these smug little misses, with their melodious giggle, their ringlets and reticules, their admonishing mamma and bland papa. How kissworthy they look. Here we have a drooping Newport "swell," with his suit of grey, his triste moustache, and bovine expectant expression. How neat they all look. And how soft and thin their voices. How piously men seem to speak or swear. Their words do not, as in Oildom, come from their boots, pumped up with fierce gesture and hot with fiery oaths. The courtly negro and the murderous gong seem to usher in a higher civilization, at the threshold of which I leave whoever has followed me thus far.

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## Literature.

## LITERARY NOTES.

THE daily papers—but too happy to secure “items” in the prevailing dulness of early autumn—have chronicled, with more detail than the public care for, the progress of the Publishers and Booksellers’ New York Trade Sale during the past week. It was successful in every point, and certifies to the existence of a healthy state of activity in the book trade, stimulated by the demand for school-books and other staple wares of the business from quarters that had been for the past three or four years debarred from their customary supplies. It must not be thought, however, that the transactions of the ordinary channels for the supply of books represent the entire movements directed to that end. Unprecedented events have led to extraordinary consequences. True to the sound instincts that carried them triumphantly through the recent struggle for national life, the great mass of the people will read about nothing but the War, and matter of that kind they will have. The regular trade organization proves quite inadequate to the demand, and consequently the canvassing or agency business has sprung at once to gigantic proportions. Probably not one-third of the books bought this year are procured at the stores. They are supplied by agents, who traverse, subscription-book in hand, every county and town of the Northern, Eastern, and Western States, leaving scarcely a lonely farm-house unvisited, and everywhere meeting with customers who eagerly engage to take the books, which it will require months, if not years, to manufacture in quantities sufficient to meet the demand. The American skill in management is conspicuous in the arrangement of this business, now developed into a complete system. It well deserves to find a historian, as the Express enterprise and other branches of American industry have done. It comprises two distinct divisions. The chief field of the canvasser who offers books in portions, issued periodically, called “the number business,” is at the centres of population, where men are congregated in large masses, as at foundries, shipyards, machine shops, etc., where the stated publications are easily supplied to them. The agent for complete works—usually in one volume, and rarely selling for less than five dollars—has his county or State district allotted to him, and starts off to canvass it, reporting his success to headquarters every day. It is a feature of the system that an agent must only have one book to get subscribers for, and that the books so subscribed shall not be purchasable at the stores. A manual of private directions, showing no inconsiderable knowledge of human nature, is furnished to agents, teaching them how objections should be parried, etc., and in what way the various classes of people may be approached with the best chance of success. The results of this system are visible in the sale of books in quantities totally unprecedented—such, indeed, as cannot be specified without appearance of exaggeration. We may mention one instance, however, where contracts are said to have been made by one house for the production of one thousand octavo volumes per day of two works, only, for a whole year. Several of the histories of the war are known to have sold each to the extent of nearly two hundred thousand copies. The public are said on good authority to have devoured a quarter of a million volumes of the adventures of a rather hard-featured lady (if the portrait does her justice), whose name we forget, but who desires to go down to posterity as “The Nurse and Spy.” “Lives of Abraham Lincoln,” “Sufferings of Northern Prisoners at Richmond,” and, in short, every work of the kind, shares in the general demand. It should not be supposed that the books got up for this emergency are all of a slight or temporary description. The pecuniary returns are now so great that the best authors find it impossible to resist the offers that would lure them to this new field of labor, and many works of sterling excellence are so produced, as the “History of the Rebellion” by Horace Greeley, Hon. H. J. Raymond’s “Life and Speeches of President Lincoln,” Colonel Bowman’s “History of Sherman’s Expedition,” Swinton’s “Campaigns of the Army of the Potomac,” J. T. Headley’s “Grant and Sherman’s Campaigns,” etc.

—A chief novelty of Messrs. D. Appleton & Co.’s fall list of publications is one that will be sure to meet with notice and criticism. It is entitled “The Last Six Months of my Administration, by James Buchanan, Ex-President of the United States.” Mr. Buchanan does well to become his own historian, or rather to put on record his own version of the facts that give importance to a period so momentous in our annals. In the last century, scarcely a minister or statesman of eminence died who was not furnished with a posthumous autobiography or “testament politique” from Holland, the great literary workshop of the day, and many still survive in a state of dubious authenticity. Though the time for apocryphal or spurious works is past, the chief actor in circumstances of great gravity and delicacy

must always have much to record that escapes the general knowledge and furnishes the soundest materials for history.

—Some interesting facts on language were communicated at the last meeting of the American Philosophical Society of Philadelphia by Mr. P. E. Chase. His object was to discover the comparative capacity of languages for musical expression. For this purpose he investigated Italian, French, German, and English, by selecting the principal poets in each language, and ascertaining the number of sounds of each description in 10,000 syllables. The result is that English has the greatest number of distinct sounds, and Italian the least. Italian is the richest in vowels and liquids, German in nasals and gutturals, French in sibilants and labials, and English in dentals. In the expression of a given number of ideas, German uses the greatest number of sounds, and French the least.

—The labors of the American missionaries, and particularly Rev. Wm. Andrews, of Honolulu, have reduced the Hawaiian language, spoken in the Sandwich Islands, to a Dictionary, comprising a vocabulary of remarkable richness for an uncultured people. It includes about 15,500 words, nearly the same number, it has been observed, that is contained in Dr. Johnson’s English dictionary. The simplicity of structure exemplified in the Polynesian languages, and their relations with the Malay and other widely spread Asiatic tongues, have lately engaged the attention of philologists. Mr. Andrews’s work is the most elaborate production yet devoted to their elucidation.

—The origin of the modern stage from the “Mysteries” and “Moralities” of the Middle Ages is pleasantly recounted in Mr. Grant White’s sketch of the Rise and Progress of the English Drama prefixed to his new volume on Shakespeare. The extracts from these rare and curious productions show how strangely Scripture scenes and characters were travestied to adapt them to the ideas of a rude age. Yet, singular to say, we find the same subjects now the great source of attraction at Paris, the theatrical capital of the world, so regular is the revolving cycle of popular taste, which moves in fixed grooves, and seems to return to first principles in accordance with a tendency to end where it began. In France the love of Biblical spectacles recurs every now and then. Readers of Thomas Moore’s “Fudge Family” will remember his description of “Susannah and the Elders,” and how Madame Begrand, the actress who then shone in the Scriptural path “as lovely Susannah,” came out of the bath in a costume more natural than elaborate. The reigning entertainment now is “The Universal Deluge,” in five acts and six tableaux, at the Theatre du Chatelet, lasting six hours and ending with a gorgeous rainbow scene. The costumes and all the appointments are said to be wonderfully correct (?) and unquestionably splendid. There is a sacred ballet of the priests and priestesses of Baal, with a procession of the emblems of his worship, compounded of all the wildest extravagances of the Bayaderes and dancing dervishes, and a second ballet, characteristically described by a French critic, who says “it seems as if Madame de Pompadour was giving a ball to Shem, Ham, and Japhet.” In this piece mechanical ingenuity has solved the problem of giving a deluge without any water, rain being represented very cleverly by ranges of bright metal wires, upon which electric light is flashed intermittently. At the Gaité “Paradise Lost” is brought out as a rival spectacle, and displays in an equally remarkable manner the resources of the French costumiers and theatrical artists.

—The solid and substantial class of books usually chosen for publication by Messrs. Scribner & Co. receives some important additions in their new list of announcements for the fall season, just issued. Their edition of Froude’s “History of England” will be continued by the issue of Volumes 3 and 4, completing the first Reformation period, and bringing down the narrative to the death of King Henry VIII. Froude’s History, we are glad to hear, is rapidly gaining readers; there is a depth of research about it rarely found in combination with so much spirit and vivacity. Prof. Agassiz’s “Structure of Animal Life” has been already mentioned. The other new books forthcoming are “History of Rationalism, embracing a survey of the present state of Protestant Theology,” by Rev. John F. Hurst. This book reviews in detail the remarkable intellectual movement whose development characterizes our own era, from its first recorded traces more than two centuries ago. The author has studied in Germany, and has made himself familiar with the entire literature of the topic he discusses, in all the European languages. His book promises to be an important contribution to the history of ideas, and their influence on society and the individual. It will form one volume octavo. Another work bearing equally a relation to modern controversies, though viewed from another stand-point, is “Essays on the Supernatural Origin of Christianity,” with special reference to the theories of Renan, Strauss, and the Tübingen school of divines headed by Dr.

Baur, by Prof. George P. Fisher, who fills the chair of ecclesiastical history at Yale College. It will contain a critical examination of the various naturalistic explanations offered to account for the marvels of the Gospel history, and a vindication of the genuineness and credibility of the New Testament historical books. Dr. Horace Bushnell's new work, "The Vicarious Sacrifice, grounded on Principles of Universal Obligation;" Prof. Botta's "Dante as Philosopher, Patriot, and Poet," including an analysis of the *Divina Commedia*, its plot and episodes; and of a lighter character, Timothy Titcomb's "Plain Talk on Familiar Subjects," by the ever popular Dr. J. G. Holland, are the most important original works in preparation by the firm. The reprints and new editions include Lord Derby's "Homer," with his final revision; Dr. J. Addison Alexander's large version of and commentary on "The Prophecies of Isaiah;" a university edition of "The Federalist;" and Duyckinck's "Cyclopedia of American Literature," with continuation to the present time.

—Though science and literature have both losses to record in the obituary annals of the month, the death of Sir William Jackson Hooker, the distinguished botanist, is unquestionably the most important deprivation that the natural sciences have recently sustained. In devotion to his favorite pursuits and the successful prosecution of them, he may be called a model man—emphatically "the right person in the right place." Of independent means, which enabled him to gratify, by extensive travel, the taste for natural history developed at the earliest age, the whole field of animated nature at first attracted him. The accidental discovery of a rare moss, and the example of a fellow-townsmen of Norwich, Sir J. E. Smith, made a botanist of him, and to this special study the energies of a long and active life (he had just completed his eightieth year) were consecrated. A professorship of botany at the University of Glasgow occupied him for the twenty years between 1820 and 1840, during which time he was knighted by King William IV. In 1841, his appointment as Director of the Royal Botanical Gardens at Kew placed him in a position most congenial to his feelings, and led to the splendid results that are familiar to most visitors of London and the attractions in its vicinity. Two hundred and seventy acres laid out with wonderful skill and judgment; magnificent ranges of hot-houses and conservatories such as no three establishments on the Continent put together can equal; an unrivalled herbarium; three museums of vegetable products, etc., filled with objects of interest from all parts of the globe; and excellent botanical libraries, are the chief features of an institution of truly regal proportions of which Sir W. Hooker might claim to be the instigator and promoter, to whose personal influence and supervision its present state of efficiency is entirely owing. The perfection of this vast establishment placed him at the head of the practical botanists of Europe. More than fifty published volumes of descriptive botany, many of them of the most costly illustrated description, attest the extent of his labors in the theoretical portion of the science. At the day of his death, he had just issued the first part of a new work, "Synopsis Filicum." He was distinguished by a handsome presence and a genial and urbane temperament. He was fortunate in all his family relations, and never knew a moment of ennui or tedium in the whole of his happy and well-spent life.

—Two other men, each of eminence in their respective branches of study, are included in the list of recent deaths in England. Mr. Hugh Cuming was known throughout Europe and America, wherever conchology was investigated, as the possessor of absolutely the most extensive and finest collection of shells ever brought together. He was in early life in mercantile business in South America, but gave up commerce for natural science. In his own yacht, expressly fitted for the purpose, he ransacked the seas and shores of the Pacific coasts of America and of Asia and its islands. His travels extended through many years; and he reached Europe with a richer freight of natural productions than had ever before been assembled by one man. Conchology had been his chief pursuit, but one of his incidental collections—that of dried plants—numbered 130,000 specimens. These, with his birds, reptiles, insects, etc., were all distributed among museums at home and abroad. The arrangement of his collection of shells found him in occupation for the remainder of his life, and it formed a mine which scientific men of all countries have worked without exhausting its treasures. Thirty thousand species are fully represented in it, mostly by numerous specimens of each. It fills a large house in London, and will in all probability be secured for the British Museum. Dr. Freeman Daniell, who died on June 28, at Southampton, had been engaged in the medical service of the British army, in most of the tropical climates of Africa, the West Indies, and the East. His writings on medical topography are numerous and valuable, and his botanical studies added much to a knowledge of the tropical flora. The frankincense tree is named *Daniella* after him.

—Mr. John Payne Collier, the veteran literary antiquary, has just completed a reprint, limited to fifty copies, of the rare early edition of Tottel's "Miscellany of Songs and Sonnettes" (1537), printed in the reign of Henry VIII., and containing the first impression of the poems of Lord Surrey, Sir Thomas Wyatt, and others. He is desirous of proceeding with similar reprints of the rare and unique volumes of poetical literature of the Elizabethan age, if subscribers enough come forward to secure him from loss, as his chief desire is to place beyond the reach of accident the matter that a chance fire, etc., might irretrievably destroy. The books he desires thus to perpetuate are "The Paradise of Dainty Devices," from a unique copy containing poems by Lords Vere and Oxford, Churchyard, Edwards, Hunnis, etc., which were omitted in the later edition that was followed in the reprint of 1810; "The Gorgeous Gallery of Gallant Inventions," 1578; "The Phoenix Nest," 1593; "England's Helicon," in which nearly all the poets prior to the year 1600 figure more or less prominently, including Shakespeare, Marlowe, Lodge, Greene, Peele, etc.; and Davison's "Poetical Rhapsody," 1602.

### CHRISTIAN'S MISTAKE.\*

THIS book is so good that it ought to be better. There is some good thought in it, and much good feeling; but it is throughout divided against itself by an inconsistency and reckless incoherence fatal to the illusion which it is the business of the novelist to produce, and reminding us from beginning to end that the author is telling stories.

Against this defect there are two safeguards: one is great genius, and the other great industry. Shakespeare probably found no more difficulty in avoiding the introduction of anomalies into the character, than Mrs. Siddons found in refraining from cutting the capers of Fanny Elssler in her performance of the part, of *Lady Macbeth*. But what the great masters and mistresses in literature do, and are preserved from doing—we suppose by the force of their over-mastering conceptions—the little masters and mistresses must do and leave undone, if at all, by dint of most painstaking and minute attention to correctness of detail. At least so much as this a novel-reading public has a right to expect of a novel writer who has had so much practice upon it as the author of "The Ogilvies," "John Halifax, Gentleman," "A Life for a Life," "The Head of the Family," "Olive," "Mistress and Maid," "Agatha's Husband," "One Year," and—legion.

But though Christian herself is a lovely creature—thus much we can discern—in beauty of person, carriage, voice, and disposition, and is a great improvement on some of her swarthy and passionate predecessors, as to most other facts about and around her we are "lost in a field." What was her (worst) "mistake?" and ought not the title of the book to run in the plural, "Christian's Mistakes," or simply, "Mistakes by the author?" etc., etc.

If we understand her, she means to represent her heroine as a person of sweet and calm dignity and self-possession. The natural effect of such qualities, in real life, surely is to prevent and to disarm insolence. Yet Miss Gascoigne habitually insults Christian; Phillis and Susan Bennett browbeat Christian; Barker snubs Christian; and the shocking little witch, "Titia," taunts Christian. Further, if we understand her, the author means to represent Christian as a woman of truth. Yet we are first told of her making Dr. Gray, at his request, this promise: "Whatever goes wrong, you will always come at once and tell it to me," and, soon after, of her sitting "still to see that saddest of all sights to a tender heart, children (Dr. Gray's) slowly ruined, exasperated by injustice, embittered by punishment, (and) made deceitful or cowardly by continual fear" of a pugilistic nursery-maid.

As to Christian's husband, we are informed, on page 6, of the grave and formal politeness which was his natural manner, but which always somewhat awed Mrs. Ferguson, and on page 78 of his feeling and appearing "at home in any company, (having) a pleasant word or smile for everybody, (and being) in short, a frank, kindly, natural gentleman."

The terrible sister-in-law, Miss Gascoigne, who is "perhaps moved and softened and brought to a better mind," and without loss of time "hard and bitter," is besides affirmed to be "unexceptionably-mannered." Now people of (conventionally) perfect manners may deal abundantly in subtle innuendo and fine-edged sarcasm; but they do not scold. They may point the finger of scorn; but they do not smite with the fist of iniquity. Neither do they say "trapesing." Moreover, the symmetry of artistic probability is violated by the introduction of a pair of such termagants as the aunt and the nurse into the same plot. One would be enough, if not more than enough. Two are too many.

"Atty lost his selfish roughness for the hour (he) spent with (his) father;"

\* "Christian's Mistake. By the author of 'John Halifax, Gentleman,' etc., etc." New York: Harper & Brothers.



but, as he "rarely spoke except to say something rude," we are driven to reconcile the discrepancies of his conduct by conjecturing that "the atmosphere of that good, loving, fatherly nature" usually deprived him of the use of his tongue.

When Titia was "very humble, . . . there was a sullen look upon" her face; and her lips now and then opened "to give vent to sharp, unchildlike speeches, so exceedingly like Aunt Henrietta's."

We could go on; but we think it unnecessary.

We find in this one, and not in this one only, of the author's performances reason to suppose them often inferior to her powers. For instance, in the first of the series, "The Ogilvies," what could have a finer tragic effect, and fit a neater keystone into a plot, than the joining of the hands of the future couple by the dying old man muttering, in his senile delirium, the words of the burial service, and the fulfilment of the omen long years after, by the death of the widow-bride while the funeral-bell is tolling her dismal marriage-peal? An artist, capable of one such stroke, ought to be capable of higher artistic success than our author reaches in any other work of hers with which we are familiar.

However, it is a great success—if not of one kind, of another—to gratify so large a number of readers as she does, in these days of "sensation," without any appeal to the fiendish sensations, and to preserve as she does, in these days of aesthetics, the godlike knowledge of the difference between good and evil. Her words do not become household words with us. Perhaps her characters are seldom strong enough to get much hold on the characters or minds of the living. They want projection. But while few authors in an age are able to give us a peep at their invisible world through the stereoscope, the microscope multiplies many small creatures into interest and beauty; and we trust that the author of "Christian's Mistake" will continue to use hers, and henceforth study accuracy in her observations.

Finally, her particular message to the world, if we have succeeded in abstracting it from her past and present publications, may be pretty nearly compressed into these three propositions: that it is highly imprudent, not to say deeply improper, to marry without a "grande passion;" that, having once been the subject of a "grande passion" for a worthy object, it is out of the question ever after to become the subject of another "grande passion" for another worthy object; and that children are to philoprogenitive persons a source of much rapture. Of which propositions, the first appears to us plausible; the second, improbable; and the third alone incontrovertible.

### A NEW NOVEL.\*

THE frequent wish for a good novel which we hear from intelligent people certainly implies that the market is not overstocked with that article. We should not like to risk our critical reputation on the assertion that the last dozen years have produced as many fictitious works which fully merit this title. A good novel is more than a good book; it is this, and much besides. It is anything but a good sermon, though, as Shakespeare says of some harder things, it may contain a better one than was preached in many a pulpit last Sunday. A good novel demands, in its creator, a blending of imaginative constructiveness and philosophical common sense and genial human-heartedness which is not very usual in literary or other circles. Miss Oliphant has some good points as a novelist—we shall gladly credit them to her account—but, at the chance of being charged with deficient gallantry, we venture to think that her genius, however unquestionable, is not the kind of genius requisite for the production of a good novel of the best variety. Meanwhile, what of "A Son of the Soil?"

Colin Campbell is a Scotch lad, who makes his way from the shores of his native Loch Lomond to one of the pulpits of his national kirk, gathering up on the road the highest honors of Glasgow and Oxford scholarship. This would contain but the light romance in itself. But the poor farmer's son rather oddly saves twice from drowning the youthful heir of an English aristocrat. This complication with the family of a wealthy baronet involves the son of the soil in a fruitless flirtation first with the baronet's niece, Miss Matty Frankland, on whom the handsome, manly, brilliant young Scot made considerably less impression than she did on him; and the second rescue from drowning threw young Campbell into a dying sickness that sent him to Italy for health, where he found another affair of the heart, which eventually, and after much not over-smooth running, grew from pity into affection, and from this into wedlock. The whole thing is contemporary, and the Rev. Colin Campbell may be considered at the present time as preaching from the tall pulpit of his church in the ancient kingdom of Fife.

This is the skeleton of the story, but like most skeletons it gives little

idea of the living creation. The author's purpose is to show the way in which a high-spirited, self-willed, poetical, fantastic, yet uncommonly *talented* young man (we use the italicized word with a mental protest) was headed off and finally subdued into a tolerably regular specimen of a Christian man and Presbyterian minister. We put it thus carefully, for the incumbent of Lafton bears but small resemblance to the typical "seminary student," either in theological opinions or external bearing. He reminds us much more of some half-trimmed Broad Church gymnasts whom we have known, quite free to indulge in a fast drive alike over the doctrinal or the literal trotting course—whether in lawn or broadcloth makes not material difference.

Miss Oliphant's readers will acquaint themselves with the route which her hero travelled from the west to the east side of Scotland, making a half year's stop in Rome, besides the longer English detentions of its winding way. Love affair the first is a curious study in the art of coquetry, evincing a shrewd knowledge of the female heart, or what in Miss Matty Frankland supplied its place—unfolding, too, a degree of young, manly folly, which we cannot say is exaggerated, though really prodigious to contemplate. We should pity this victim of bright eyes and shallow smiles, only that we see he is getting his education in a science which the university does not teach. The sickness which follows his midnight plunge into the canal after Sir Thomas's heir is a different discipline, the weariness of those weeks of battling with death, their solemn self-communings and revelations, the wrestlings of a young soul, so full of life, with the mysteries of the world around it and before it, and all this the pivot on which another human history is swinging round to a new issue. The author has room for her best handling upon these materials, and she shows great power and insight in these chapters. Some deep philosophy and much "awful" questioning of what philosophy has no key to unlock, fill up the conversations of the sick man and his friend Lauderdale. This Lauderdale is the gem of the book. He has been Colin's protecting genius from the day when the elder student helped the younger through his first college fight at Glasgow. Lauderdale is almost twice as old as Colin, a fabulously tall, gaunt son of the land o' cakes; a solitary, speculative, believing, yet skeptical Christian man, gentle, strong, dreamy, faithful to the core. He is Colin's *fidus Achates* to the end, simple-hearted as a child, yet ruggedly masculine in intellect; a mixture, if such a thing could be, of Edward Irving and Thomas Carlyle. He never tires us; we never exhaust him. Sometimes he is foggy, but never conceited. "The unwedded, childless man was at once young and old, and had kept in his heart a virgin freshness more visionary, and perhaps even more spotless, than that of Colin's untarnished youth." The two, so unlike yet so indivisible, are an admirable foil to each other.

We question the author's intelligence or fairness if Arthur Meredith is intended as an average sample of an educated, evangelically religious man. We hardly think he is so put forward, while we have a doubt whether the writer precisely knew of what she designed to make him the representative. He is the brother of Campbell's future wife. They meet on the Mediterranean going to Italy for health—he to die. That Frascati episode is tender, painful, almost tragic. Out of it grows a marriage of sympathy, honor, and affection—never of highest love on the husband's side, though heartily this on the wife's. Here we reach not very solid ground. Campbell fulfils, after a four years' engagement, the promise which compassion for Alice Meredith's orphaned loneliness wrung from him over her brother's grave. Of course, he should redeem his pledge. Nor is it very strange that he should have given it. But to compel one's self to marry without

"—— the love  
Of men and women when they love the best,"

is, to say the least, rather a novel winding-up of a modern romance. They appear to be getting on as comfortably as could be expected in the circumstances; but we are not ready to say "so be it" to the final sentence of the book: "A man can live without that last climax of existence, when everything else is going on well in life." Really, that sounds too French for our taste. Has the author any marriageable cousins slightly *passées*? She evidently does not live in "A New Atmosphere."

The author's familiar knowledge of Scottish life gives a fine vividness and truth to her pictures of scenery and of the traits of the people. The narrative moves vigorously on with a sustained force, sparkling ever and anon with a ripple of quiet humor. The fluster of a well-to-do Scotch parish on receiving and trying its new candidate for pulpit honors is particularly well described. Our friend Lauderdale's definition of "democracy" will not suit all the popular sovereigns, but it is sharp, if not sound: "Democracy means naething else, as far as I'm informed, but the reign of them that kens the least and skreighs the loudest."

\* "A Son of the Soil." A Novel. New York:

Bros. 1865.

## PEGASUS IN TRACES.\*

THE modesty of the suggestive "etc., etc.," mentioned on the title-page of Mr. Duganne's book is amply atoned for at its close. Here the veil of mystery which surrounds that curt epitome is lifted, and we are allowed to discover that "The Tenant House; or, Embers from Poverty's Hearthstone," by the same author, has been praised by no less than eighteen clergymen; that the "Poetical Works" of A. J. H. Duganne have also been published; that the same pen has given "Utterances ante Lucem" to the world; that "Battle Ballads," by A. J. H. Duganne, will be issued in the fall of the present year. Of this gentleman's prose we have gained some idea from the book before us; of his "Poetical Works" the editor of the "Beadle Dime Series" has the following opinion:

"Mr. Duganne is one of the master spirits of minstrelsy, whose song has stirred the great heart of man into a grand enthusiasm for the right, the free, and the good. His lyrics long have floated over the great sea of the press, like the argonaut Nautilé, bearing beauty and hope and a thought of heaven on their wings. His more elaborate poems stand as monuments of a mind pervaded by the true sublimity of the noblest masters of song. There is, in these elaborate compositions, a wealth of imagery, a boldness of conception, a presence of high thought, that mark Mr. Duganne for one of the most thoughtful and introspective poets of this country. It is with a grateful sense that we turn from them and their mighty thought to the love ballads and lyrical utterances, which give the volume variety and season it with sweets from which all can sip."

The story contained in "Camps and Prisons," so far as the personal adventures of the author are concerned, may be told in a few words. Col. Duganne, of a New York regiment—whose number he leaves doubtful, generally speaking of it as the "Ironsides"—finds himself, after the capture of Brashear City by the rebels, in command of Bayou Beuf, cut off from all retreat, with an insignificant infantry force, four guns, and forty artillerymen to defend them. Separated from his base, and thrown upon his own responsibility, he bravely determines to defend his position to the last. Measures are taken for an active resistance, rifle-pits are dug, gunners are posted, a store-house, to prevent its seizure by the enemy, is burnt; orders are sent to the officer defending a bridge in the front to hold his ground as long as possible—if there be danger of the enemy's flanking him, to burn the bridge and fall back to Bayou Beuf. The enemy draws near, Captain Hopkins burns the bridge and retires; a council of war is called—the place is surrendered, Col. Duganne unbuckles his sword, and spends thirteen months as a prisoner in Texas. These incidents, together with an account of affairs in the department of the Gulf which took place between the time of his arrival and his capture, his life in prison, and descriptions of various other matters in which he had no share whatever, make up a total of more than four hundred pages. What were the sources of information with regard to events of which he had no personal knowledge, he tells his readers in an introduction: "Personal statements and actual observations have alone furnished material for the book." Under these circumstances the sceptical reader will perhaps hesitate before placing implicit confidence in the "personal statements" contained in chapters detailing at length the capture of Brashear City, the surrender of Galveston, the fights at Sabine Pass; indeed the exact value of "the personal statements" referred to by Mr. Duganne, becomes more apparent when he gives his own (p. 261) description of them in the following manner: "From log-books of naval officer, from yarns of man-of-wars-man, from recital of service-striped sergeant, I became possessed of truer information regarding this" (the second affair at Sabine Pass), "as well as other affairs, than I could have gained out of all the red-tape documents at headquarters."

Mr. Duganne is a poet, and his mind seems to have vacillated between the idea of making his "twenty months" a prose narrative and that of sending his story on its way in the form of an epic. The former prevailed; but occasionally the muse displays herself in an unexpected fashion, and blank verse, printed prosaically, is the result; the effect is sometimes peculiar. On page 60 we have the following sonorous passage:

"Some said this worthy skipper's steamboat-house not only owned two flag-staffs, but possessed two flags to hoist upon them as occasion might demand. However this may be, no bunting flew from them but stars and stripes while I abode in Tigerville."

How smoothly this runs into verse!—

"Some said this worthy skipper's steamboat-house  
Not only owned two flag-staffs, but two flags  
To hoist upon them as need might demand.  
However this might be, no bunting flew  
From them but stars and stripes while I abode  
In Tigerville."

Again:—

"My quarters at Lafourche are in the old hotel; a ventilated building,

whereof no door hath complement of hinges, and no window-frame can boast a tally of its panes."

A little change would make this perfect:—

"Lafourche's old hotel doth quarters give;  
A ventilated building, where no door  
Hath complement of hinge, nor window frame  
Can boast a tally of its panes."

We are tantalized in the same way throughout the book—and not only are we reminded of poetry by Mr. Duganne's prose, but of prose by his poetry. A striking instance of what may be done in this way, is to be found in the poem delivered on the 23d of February, in the Camp Ford prison.

But although the defects of this book are more prominent than its merits, there are parts of it which are well worth reading. A genuine sympathy for the negro, and a true love of democratic principles, led Mr. Duganne to observe with some attention the state of society into which he was thrown, and the attempt by General Banks to remedy its evils by the introduction of the "free-labor system." His conclusions were practically those which the whole country have at length arrived at—that the Irish bull has a practical as well as verbal existence in "compulsory free-labor." A servant who cannot choose his master is indeed a slave, and General Banks, whatever his intentions, was engaged in enslaving freemen, when he ought to have been freeing slaves.

Again, Mr. Duganne describes life in prison excellently—while, since "actual observations" and not "personal statements" have "furnished material," more reliance may be placed on the facts told in a chapter like that called "A Day at Camp Ford" than those contained in some before spoken of. On the whole, however, there seems to be no reason why this book should have been written; if the author had seen a great deal of service, or if, without seeing much, he had been in a position to gather authentic information with regard to current events, his account of twenty months in any department would have been of interest and value; but, on the contrary, he saw no service, and was in just the situation where stories from all sources were least worthy of trust. If Mr. Duganne had put less confidence in "log-books of naval officer, yarns of man-of-wars-man," and "recital of service-striped sergeant," his life in Texas would have afforded the subject for a very entertaining magazine article; he has chosen instead to publish a book which is untrustworthy, and essentially made-up.

## THE TRUTH CONCERNING REBEL PRISONS.\*

THERE are three great facts which place for ever beyond controversy the treatment of Union prisoners by their Confederate keepers, from the summer of '63 up to the close of the war. The subject is one which we would not lightly re-open, choosing rather that it should join the troop of horrors which must be dismissed to oblivion before we undertake to resume our friendly relations with the people of the South. But, as often happens, the partisans of a bad cause will not let it die; and on both sides of the Atlantic, in the New York *Daily News* and in the London *Times*, it is asserted unblushingly that the Confederate gaolers were not lacking in humanity, nor their victims in such consideration and care as were possible within the resources of the Confederacy. When an attempt like this—however bootless it is sure to be, and however certain to be refuted hereafter—is made to falsify history during the lifetime of those whose knowledge, having come through the most terrible suffering, is positive, or nothing is positive, the experience of the Roman historian is reversed, and men find it harder to be silent than to forget. Besides, the unwelcome theme is before the public in a legitimate way, in the trial of a conspicuous agent in the Confederate scheme of slaughter; and perhaps no better time could be selected for noticing the books which are named below than now, while the materials are gathering for a settled, unalterable conviction concerning the alleged barbarities.

The facts with which we began are these: the extraordinary mortality among the prisoners, for which we will accept the Confederate account as accurate; the bodily and mental condition of those who were at last exchanged; and the topography of the theatres of imprisonment; for which we have the testimony of eye-witnesses, susceptible, in the latter instance, of immediate confirmation by whoever wishes to inspect Belle Island or Andersonville. Whatever other data are added to these are clearly superfluous, and yet without the details the imagination would much fall short of the incredible reality. To the cloud of witnesses, both living and dead,

\* "Nineteen Months a Prisoner of War. Narrative of Lieut. G. E. Sabre, 2d Rhode Island Cavalry, etc., etc." New York: American News Company. 1865.

\* "Camps and Prisons. Twenty Months in the Department of the Gulf. By A. J. H. Duganne, author of 'A History of Governments,' 'Footprints of Heroism,' 'War in Europe,' 'A Comprehensive Summary of History,' etc., etc." Second Edition. New York: J. P. Robens, publisher, 37 Park Row. 1865. 16mo, pp. 9-424.

\* "Diary of a Soldier and Prisoner of War in the Rebel Prisons. Written by Eugene Forbes, Serg. Co. B, 4th Regiment New Jersey Volunteers." Trenton: Murphy & Bechtel. 1865.



belong the heroes of the narratives before us, each incarcerated for a lengthy period, and both together affording a view of prison life in almost every part of the South.

What Lieutenant Sabre endured may be guessed from his statement that the most comfortable portion of his imprisonment was the six weeks he was forced to spend in Charleston under the Federal fire! He tested successively—after capture in Mississippi in July, 1863—the entertainment of Morton, Mobile, Atlanta, Richmond (Libby and Belle Island), Andersonville, Macon, Charleston, and Columbia. His observations have, therefore, a wide range, but are restricted in interest and importance to what he saw and underwent at the rebel capital and in Georgia. What a picture he presents of that desolate river island—low, wet, and flat; the camp in close proximity to the cemetery and the hospital, and in full view of them; no shelter provided, little possible otherwise; no drainage. Into these four acres are turned seven thousand men, stripped of their blankets, often of their most essential garments. The rations are vile and meagre, and with the approach of an unprecedented winter are reduced. A dog is torn in pieces for food. The most loathsome forms of sickness prevail. Men wander about insane. Yet the hospital is more dreaded than the camp. Forms not yet dead are laid out for burial. When the awful cold sets in, no burrowing is sufficient to procure warmth. They lie like animals in heaps. Of a night there will be from a score to fifty deaths. Frozen limbs and amputations are the order of the day. New-comers, almost naked, are turned in to certain death. For nine weeks in the three winter months not a load of wood is sent to the island. And all this time there is a "dead-line," and prisoners are shot recklessly that the guards may earn a furlough, or brutally punished with inquisitorial devices. In January, 1864, supplies of clothing come to them from the Christian Commission, and the moment they have been distributed the rations are cut down, nor will they be raised to the old standard until bought back with the identical supplies! At Andersonville there are bloodhounds to overtake, chains and balls to retain and punish, fugitives. The rations, if somewhat larger than at Belle Island, are irregular and mean. Malaria pervades the stockade from the marsh in its centre. Some become blind, others crazed. Those so unhappy as to have been vaccinated suffer the torments of the condemned from the impurities introduced into their systems.

More touching, even, than this story, which is told without resentment, is the diary of Sergeant Forbes, which is abruptly terminated by the deliverance of its author from every earthly privation. All roads lead to hell, said the ancients, and he found his way to Andersonville from the Wilderness, in May of last year. He corroborates all that is recorded by Lieutenant Sabre—the exposure to hot suns and chilly nights and pelting storms; the marvel of an occasional patient returning from the hospital; the insane, and the vaccinated with their flesh dropping from their bones. He, too, has to tell of the shooting indulged in by the guards, scarcely a night passing that a shot is not heard, often enough with fatal effect upon innocent victims. One soldier, tired of life, lies down deliberately beyond the "dead-line," and refuses to budge when warned, crying, "Do your duty, and get your furlough!" and is shot dead, of course. The sergeant is a posthumous witness in regard to Wirtz, who is first mentioned in the diary as having ordered two recaptured men to be hung; but Winder interferes. Next he appears, on the 29th of June, as aiding in the detection and surrender to the prisoners of certain "raiders" of their own number. Forbes writes: "He deserves great credit for his prompt action in the matter;" though, since the wretches were hung, as Wirtz well knew would be the case, his motives are not above suspicion. Afterwards, on the 14th of July, he harangued his captives, saying that "the rebel government was anxious to parole or exchange, but the Federal Government declined, because the time of so many of the men had expired." And to this cruel falsification he added,—let those take note who say our soldiers were starved as the Confederate soldiers were, and for the same reason,—that "he had plenty to feed them on for two years, if necessary." At the same time, he threatened to open upon the entire camp with grape and canister if a conspiracy for a general outbreak were detected; and to fire into any unusual group or crowd of men. No better than Andersonville was the pen near Charleston, to which Forbes was transferred for the last time. Here, also, men were starved and frozen, and the guards shot those who addressed them. Here, also, if a prisoner were absent from roll-call, the whole company was kept fasting until he was accounted for; here, that men might be induced to forswear their true allegiance and adopt the false, their hungry eyes were tantalized with the sight of bags of flour and shoulders of beef, which were not allowed to cross the stockade. And here, at last, the stout-hearted patriot succumbed to fatal disease.

Such are some of the proofs that the conduct of the Southern prisons

was a wilful system of pillage, starvation, and murder, for ends, some of which, at least, were more subtle than the gratification of any man's cupidity or brutality. For our part, we are stirred less painfully by reading of the sufferings which this system produced than by the consequent effects upon the character of the sufferers, so that all sense of decency, all respect for private property and private rights, faith in each other and in the Government in whose service they had been captured, was lost. This is not to be imputed for blame to the inmates of the Southern *inferno*, but must be re-torted directly upon the heartless authors of their infinite misery. That men went raving and grew helpless from hunger and exposure, and were covered with festering sores and ever-present vermin, and lay in their own ordure, and saw their limbs rot off, and fell beneath the infliction of intolerable punishments or by the more merciful bullet or single blow—is fearful, surely, to contemplate. But there is a further stage of degradation: as when one, driven to extremities, plucks an undigested morsel from the vomit of another; when men quarrel over bones for possession, or over a corpse for the privilege of carrying it out; when property is so insecure that even the lunatic is robbed of all that covers his nakedness, and bands of marauders do violence by night, compelling the camp to organize itself into a vigilance committee and inflict summary justice when the guilty parties are brought to light; when, lastly, to escape the pangs of such an existence, the Confederate yoke is assumed and the good cause abandoned by flesh not made for martyrdom. These last are the veritable objects of our pity. The constancy of the rest excites admiration and gratitude, and theirs, after all, is the sternest, loftiest heroism of the war.

#### CURRENT LITERATURE.

*The Little Corporal* is the title of a children's newspaper, published monthly, at Chicago, by Alfred L. Sewell. The editor exhibited, in a remarkable manner, his business capacity and his knowledge of "Young America" at the time of the Northwestern Sanitary Fair, for which he labored zealously, and netted by the day that it opened the sum of fifteen thousand dollars, raised by the exertions of the little folk of the country, whom he had marshalled into an army of agents. This pleasant experience seems to have suggested a continuance of the relation, and the new periodical is the result. It starts already with the air of an "institution," and is as choicely edited as it is printed. It means to be found "fighting against wrong, and for the good, the true, and the beautiful." Success to such warfare! The form is quarto, sixteen pages; the subscription price, one dollar.

*The Oil Regions of Pennsylvania.* Showing where petroleum is found, how it is obtained, and at what cost. With hints for whom it may concern. By William Wright. (Harper & Bros., New York.)—The author of this neatly printed volume traversed, chiefly on foot, the entire oil district of Pennsylvania, visiting every producing well, and making the most careful inquiries concerning facts. His observations and his report upon them are worthy of confidence, because, first, he went as the correspondent of the *New York Times*, and, through that paper, in the interest of the public; secondly, because he is a man of intelligence, knowing how to see and what to credit; and, thirdly, because he has instincts and principles superior to money-getting. In ten clearly-written chapters he discusses the physical features of the country, from a just understanding of geology; describes the climate and the people, where and how they sink their wells; treats of the curious phenomena of supply and failure, of obstacles and remedies; furnishes *nominatim* the statistics of production; explains the processes of refining; and candidly declares what is immoral in the speculations of Oildem, and what are the chances for an honest investment. The reader can hardly fail to place reliance upon the statements of Mr. Wright, which, for the rest, are attractively and often humorously dressed. He believes that oil is not confined, and has had in its deposit no possible relation, to existing river-systems—the results of erosion through a long series of years. The oil area might be indefinitely extended if boring were indifferent to the increase of depth. The temperature of the oil does not correspond with the accepted theory of the rate of elevation of the earth's temperature as we proceed from the surface. The general, not to say universal, experience is, that "wells yield much less freely in winter than in the summer season;" and a superintendent of one company "declares he can predict changes in the weather for twenty-four hours in advance, by observing the yield of his wells." The subterranean communication between adjacent wells is singularly capricious and uncertain. "In one case this was so intimate that the sounds made in drilling one, though not audible at its mouth, could be heard coming up the next well." Mr. Wright's advice seems sound and sensible.

*Mexican Poetry.* "Poetical Works of José Rivera y Río" ("Obras Poéticas," etc.) Mexico, 1857.—Among the fifty distinguished Mexican exiles who occupied the platform at the meeting of respect and sympathy held for them on the 19th of July, at Cooper Institute, was a young gentleman who has already taken high rank as a scholar, jurist, statesman, patriot, soldier, and author of prose and poetry. Señor José Rivera y Río was one of the four members of the Mexican Patriot Club chosen, by their votes, to prepare addresses for that occasion; and ably did he perform that task, as the pamphlet containing their speeches amply proves. Although only twenty-six years of age, he received a superior education, in the excellent colleges of the Mexican Republic, which were of a superior order and con-

ducted on enlightened principles, until the intrusive Maximilian proposed to place them under the control of the retrograde priests. It should be known, to the honor of the Mexican Liberals, that they, like the Spanish-American patriots generally, have been intelligently and ardently devoted to national and universal education. Senor Rivera y Rio is a most creditable witness in favor of the Mexican Republican schools and colleges. He has published twelve or fifteen works, several of which illustrate Mexican manners and customs in a lively and accurate manner; and, as the people are very much diversified in race and origin, and the various climates and productions of the country are almost innumerable, we may expect a rich fund of instructive novelties in such of his volumes as it is proposed to publish in English. The volume of poetry whose title we have given is a handsome octavo of 300 pages, and contains about seventy-five pieces of various length, style, and metre, in which the Spanish language is displayed to great advantage in its peculiar traits of richness, force, and harmony; and some of which, composed at the tender age of sixteen or seventeen, afford us double pleasure by the youthful ardor, pure principles, and exalted patriotism which they express. It is very lamentable that the difference of language has thus far kept North Americans in profound ignorance of the character and condition of the Spanish-American republics. So powerful is fashion, that it is extremely rare to find one of our countrymen intimately acquainted with them and their fine language; but the time must come when the Mexicans, at least, will be better known to us, and one of the best means of introduction will be the reading of some of their best writings.

*The Bulletin and Annals of the Maritime Council.* ("Bolletim e Annaes do Conselho Maritimo.") Lisbon.—This official monthly quarto magazine of the Portuguese Government, which has now reached its hundredth number, contains a vast amount of information relating to the Portuguese colonies in all parts of the world, including numerous papers written in past ages, which have been long hidden in the archives, etc., from jealousy of foreign interference. It would require many pages to give even an outline of the different classes of documents contained in the numbers before us. Those relating to the Portuguese possessions in Southern Africa offer a surprising amount and variety of information. There are reports of governors and commissioners, journals of travellers, details of military operations, descriptive catalogues of plants, animals, and minerals; and minute accounts of the habits, manners, customs, etc., of various tribes of natives; with maps, plans, drawings, etc., etc., opening to view those extensive regions between the Atlantic and the Mozambique which Portugal has for centuries claimed, and from which she has excluded other nations. Within that broad belt Dr. Livingstone was allowed to pursue his course, to make known to the world much that before was known only to the Portuguese, and to discover some important facts of which even they were ignorant, especially that the Zambezi River, instead of being lost in the interior, turns northward, and is the same stream that flows eastward by their old town of Tete to the eastern coast.

Some of the documents in the "Bolletim e Annaes" relate to the evil effects of the Portuguese system of conducting their colonies, which several writers have forcibly exposed, together with cases of the oppressive, selfish, and immoral conduct of certain bishops who abused their power. Strange as it may appear, the English are held up as the model nation in the management of African colonies; and their humane, intelligent, and successful treatment of ignorant natives at Sierra Leone is recommended for imitation. Certain favorable traits of the negroes in the Portuguese possessions are occasionally exhibited in the "Bolletim," particularly their eagerness to engage in trade, and to transport ivory and other articles of traffic through deserts and forests, across mountains and rivers, for moderate pay. Some of the Portuguese traders, who have had experience in directing commercial operations among the interior tribes, have acquired much skill in arranging and conducting them, and displayed much ingenuity, enterprise, and boldness, and have succeeded in securing large profits in the end. The descriptions of the beauties of nature interspersed in many of the documents, are fascinating, and excite admiration; while occasional notices of exalted traits of character in the untutored natives lead the reader to wish that they might be reached by more able and worthy teachers than those who have thus far ever appeared among them from countries called civilized.

*Geography of the Languages, and Ethnographic Chart of Mexico*, preceded by an attempt to classify those languages, and hints on the immigration of the tribes. By the Licentiate Manuel Orozco y Berro. Mexico. 1864. ("Geografia de las Lenguas y Carta Etnografica de Mexico," etc.)—This work, a quarto of almost four hundred pages, and the accompanying chart of Mexico, presenting the numerous Indian tribes inhabiting different parts, has been many years in preparation, chiefly by compilation from the most esteemed publications at home and abroad. The author is a devotee to historical research, and intimates in his preface, in an affecting manner, that his life has been marked by misfortunes, though cheered, as he says, by the love of kind and intelligent parents and friends. The labor bestowed on the work was very great, and the collection of facts and opinions from numerous sources highly interesting, although he confesses that he has but little personal acquaintance with the manners, customs, or languages of the native races. The chart, which is the work of a friend, is original.

He says, in a general view of the languages in Mexico, that there appear to be eleven families of them, though perhaps this number may hereafter be reduced. These contain thirty-five idioms and sixty-nine dialects. Besides these, there are sixteen languages as yet unclassified, some of which may, perhaps, when better known, afford new families, or be assigned to those already distinguished. Thus we have one hundred and twenty living idioms, to which adding sixty-two dead ones, we find that there have been one hundred and eighty-two within the limits of the Republic.

We have only room to remark here, that many interesting peculiarities are found among those aboriginal tribes, with which we shall become ac-

quainted when the foreign intruders shall have withdrawn from that splendid portion of Republican America, and the aspiring young nation be allowed to resume her noble career of improvement, in which she has been struggling to imitate our own country for half a century. The large and valuable work before us is one of many creditable evidences of the results of the admirable system of general education established by the Liberals of Mexico, under which Lancasterian schools and colleges of a truly high grade have flourished for thirty years or more, taught by laymen of learning and liberal principles. The attempts of the Austrian Maximilian to ruin education in Mexico, by reinstating the popish priests, and the doctrines and methods of the dark ages, will last no longer than his precarious throne.

The Indians of Mexico are entirely unlike most of those in the United States, being agriculturists, with fixed habitations, practising various useful arts, some of them well-educated and occupying distinguished positions as statesmen, soldiers, and scholars. They are remarkably peaceful and docile, yet make good soldiers; and a corps of the rudest of them, who had first held a musket only a few weeks before, defeated and captured a large body of French Zouaves at Puebla.

### BOOKS RECEIVED.

SERMONS PREACHED IN BOSTON ON THE DEATH OF ABRAHAM LINCOLN. Together with the Funeral Services in the East Room of the Executive Mansion.—POETRY OF THE AGE OF FABLE. Collected by Thomas Bulfinch.—ENOCH ARDEN. By Alfred Tennyson.—PHANTOM FLOWERS. A Treatise on the Art of Producing Skeleton Leaves.—WAX FLOWERS. How to Make Them.—DORA DARLING; or, The Daughter of the Regiment. J. E. Tilton & Co., Boston.

MRS. GOODFELLOW'S COOKERY AS IT SHOULD BE. A New Manual of the Dining-Room and Kitchen. T. B. Peterson & Bros., Philadelphia.

THE INTUITIONS OF THE MIND INDUCTIVELY INVESTIGATED. By Rev. James McCosh, LL.D. New and Revised Edition.—MY NEW HOME. By the Author of "Win and Wear." Robert Carter & Bros., New York.

CURIOUS FACTS IN THE HISTORY OF INSECTS: Including Spiders and Scorpions. By Frank Coward.—THE CADET ENGINEER; OR, STEAM FOR THE STUDENT. By John H. Long and R. H. Buell.—POETICAL TRIBUTES TO THE MEMORY OF ABRAHAM LINCOLN. J. B. Lippincott, Philadelphia.

THE BLADE AND THE EAR. Thoughts for a Young Man. By A. B. Muzzey. Wm. V. Spencer, Boston.

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**FINANCIAL REVIEW.**

SATURDAY A.M.

BUSINESS continues active among the merchants, though in the domestic commission line there is rather less doing in cotton goods, and prices are coming down. The mill-owners at the East have been driving production to the extreme, in order to avail of the large demand for and enormous profits on goods since the close of the war. Their stocks in New York and Boston are now accumulating too rapidly for the demand, and there is a near prospect of lower figures to the consumers. The importation of foreign dry goods this week is heavy, to the value of \$4,020,000, but there is still a demand for all seasonable styles, and the amount marketed this week is somewhat larger than the fresh importation. In general foreign merchandise, also, there is a good trade, especially in the staples of sugar, coffee, tea, and metals. The receipts for customs in gold for the week will be about three millions, and thus far in the month of September, 13 business days out of 26, \$7,067,000, which is ahead of the same time in August, though we cannot calculate upon a much longer continuance of such very heavy receipts. The Government continues a seller of part of the surplus gold in the Treasury, as it cannot be needed to pay gold interest until November, and then only to a partial amount beyond the current customs of that month. The price has fallen 2 per cent. since last Saturday, while bills on London have improved  $\frac{1}{2}$  to  $\frac{1}{4}$  per cent. for gold, in consequence of this cheapening of the gold; not that the importers apprehend an upward reaction, but because they had made considerable sales of their goods on the higher basis of 144 to 145 per cent., and are now disposed to remit part of the proceeds.

Money keeps easy at 5 to 6 per cent. on temporary loan to the brokers, and 6 to 7 per cent. on mercantile paper. There was some disposition among a portion of the old City banks, especially the few which have not gone into the National system, to agitate for a discrimination between city and country bank-notes, but the Clearing House Association declined to have anything to do with the question, officially, last Tuesday, and the probability is that nothing will be done outside of the Clearing House. Practically, the difference, as lawful tender, between the banks themselves and the U. S. Treasury, between greenbacks and national currency, without reference to the points of issue on redemption, is so very nice, that the public at large need apprehend no danger, as the law now stands, of the smallest discount on the latter. Both classes of notes bear the seal of the Government, and the pledge of the public faith and public stocks for prompt redemption.

The receipts of cotton this week are 20,734 bales; the exports on Wednesday's Custom House return only 3,882 bales. It is believed, however, that the preparations for shipping to Liverpool are now on the increase, while the domestic mills are not such eager buyers. The only remaining drawback to an active movement is a speculative disposition in certain quarters of the trade to hold cotton for higher prices later in the season. This seems to be favored, for the moment, by cheap money, and continued firm reports from the Liverpool market, where the American staple, in free supply, is welcomed by the manufacturers of Lancashire, after working so long on Surats and Egyptians. At the same time, it is not forgotten that we have yet to hear of the effect of the large receipts on this side, at New York, New Orleans, and Mobile.

The Treasury is working with great care, and without fresh borrowing. The internal revenue is above \$8,000,000 per week in currency, and the customs at all the ports \$4,000,000 to \$5,000,000 in gold. The balances in the New York office in gold and currency have run up to the unprecedented total of \$71,343,856.

**UNITED STATES SECURITIES.**

The demand for the original 5-20s is renewed from Europe, and this day's steamers carry out \$700,000; the price closing 107 $\frac{1}{2}$  per cent.; the new issue, 105 $\frac{1}{2}$ ; 10-40s, 94 ex dividend; and 6s of 1881, 107 $\frac{1}{2}$ . The 7.30 currency loans not so firm as last week. Sales at 99 $\frac{3}{4}$  for the first and second, and 99 $\frac{1}{2}$  for the third series. Treasury certificates steady at 98 $\frac{1}{2}$  to 99 per cent. The compound 6 per cent. legal tenders of 1864 are wanted at 105 $\frac{1}{2}$  for June dates; 103 to 103 $\frac{1}{2}$  for July and August; and 102 to 101 for October and December.

**STATE SECURITIES.**

There is a large advance in the Border State bonds: Tennessees up to 83, North Carolinas 78, and Missouri 76 per cent. The State of New York has paid off \$2,960,000 of the old Canal debt out of the Canal Sinking Fund.

**RAILWAY SECURITIES.**

There is nothing new to report of railway mortgages. The speculation in shares has been generally bearish through the week. Erie, 88 $\frac{1}{2}$  down to 86 $\frac{1}{2}$  to 87; N. Y. Central, 92 $\frac{1}{2}$  to 93 $\frac{1}{2}$  to 92 $\frac{1}{2}$  to 93; Reading, 106 $\frac{1}{2}$  to 107 to 106 $\frac{1}{2}$ ; Michigan Southern is an exception to the general market, and advanced at one time from 65 $\frac{1}{2}$  to 69 per cent., falling back to 67 $\frac{1}{2}$  to 68; Michigan Central steady, 110 to 109 $\frac{1}{2}$ ; Pittsburg, 71 $\frac{1}{2}$  down to 71; North-west, 28 to 27 $\frac{1}{2}$ ; North-west Preferred, 61 $\frac{1}{2}$  to 60 $\frac{1}{2}$  to 61 $\frac{1}{2}$ ; Rock Island is another exception, and rose to 112 $\frac{1}{2}$  to 113, closing 112 $\frac{1}{2}$ —the market looking somewhat firmer at the close of the week.

**MISCELLANEOUS SHARES.**

Bank stocks are looking firmer at the close of the week. Atlantic Mail, 147, as on last Saturday. The fancies of Mariposa, Quicksilver, Canton, and Cumberland dull, but not materially changed in prices.

**GOLD AND EXCHANGE.**

Gold is 142 $\frac{1}{2}$ ; bills on London for gold, 109 $\frac{1}{2}$ ; on Paris, 5 francs 16 $\frac{1}{2}$  centimes to the dollar.

**RAILWAY TRAFFIC.**

The Erie Road for August, \$1,368,000; the Atlantic and Great Western, \$738,000; the Fort Wayne, \$762,000. All increase largely over the same month in 1864. The Western-bound freight business is unusually active.

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A special correspondent, who has been selected for his work with care, has started on a journey through the South. His letters will appear hereafter every week, and he is charged with the duty of simply reporting what he sees and hears, leaving the public as far as possible to draw its own inferences.



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